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Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Situation of human rights in Cambodia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of his Special Representative for human rights in Cambodia, Peter Leuprecht, pursuant to General Assembly resolution 57/225.

Summary

On 27 July 2003, Cambodia held its third National Assembly elections since the signing of the Paris Peace Accords in 1991. These elections mark an important step in Cambodia's efforts to establish a multiparty democracy. Most observers agree that there was a marked improvement in the technical aspects of election administration, that the month-long campaign period allowed for more freedom of political expression than in previous elections, and that polling was conducted in a generally peaceful and orderly manner. However, the establishment of a level playing field for all political parties and of a fully transparent electoral process administered by neutral State institutions still encountered significant obstacles. In the months prior to the official campaign period, arbitrary restrictions were placed on freedoms of assembly and expression and there was significant intimidation, which continued through the campaign. In confronting electoral fraud, vote-buying, intimidation and violence, the National Election Committee failed in almost every case to use its considerable power to impose fines and other sanctions. Although law enforcement officials took some steps to investigate killings of political party activists, the investigative and judicial processes of bringing the culprits to justice remained flawed and ineffective in the majority of cases.

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The process of building democratic institutions and advancing the enjoyment of human rights under the rule of law in Cambodia will require a far greater commitment to ensuring the separation of powers, transparency of executive action, and neutral and accountable State institutions. Reform of the justice sector remains of crucial importance given the centrality of an independent, competent and effective judiciary in establishing accountability. This is an issue that has been repeatedly raised in previous reports of the Special Representative and his predecessors.

Enforcement of the law also remains a continuing problem. Individuals in positions of power and State authority, particularly in law enforcement and the armed forces, are rarely held accountable for their actions, even when serious crimes are involved, and corruption continues unchecked. While some positive developments have occurred with regard to legal and judicial reform, there remains a glaring gap between the "*pays légal*" and the "*pays réel*".

The 1993 Constitution contains human rights guarantees and explicitly incorporates into domestic law the international human rights treaties by which Cambodia is bound. The problem remains one of commitment to implementing these provisions so as to ensure the practical enjoyment of protected rights by Cambodia's people.

With a per capita gross national income of US$ 260, Cambodia remains one of the poorest countries in Asia. According to the *Human Development Report 2003*, it is ranked 130th in the Human Development Index. Some 36 per cent of the population live below the poverty line of US$ 0.46-0.63 a day. Landlessness is an increasing problem, although reliable statistics are unavailable. With Cambodia's traditional social safety net based on land and subsistence farming, it is a struggle to produce enough food to support individual livelihoods and the population. Urban drift is at the root of the growing numbers of squatter settlements in Phnom Penh.

Land continues to be a major source of conflict and of human rights violations in a country where over 80 per cent of the population reside in rural areas and are dependent upon agriculture for their livelihood. The policy of granting large-scale land, forestry and other types of concessions to private companies has serious adverse effects on the livelihood and the human rights of populations living within or close to their boundaries. Nor have such concessions led to human and sustainable development. Further, the Land Law of 2001 requires the adoption of a large number of sub-decrees for its full implementation, which must be done in a manner that is consistent with Cambodia's international human rights obligations.

Policies and strategies allegedly aimed at reducing poverty have been developed without sufficient regard to Cambodia's obligations under the International Covenant on Economic, Social and Cultural Rights and are hampered by problems of disbursement in the education and health sectors. Many problems persist in the delivery of the right to housing, such as forced evictions and the lack of adequate shelter for displaced Cambodians. The Special Representative is concerned that Cambodia's imminent accession to the World Trade Organization — the first least developed country to do so — may adversely impact on the fulfilment of its human rights obligations. He believes that there is a need for informed public debate on this issue.

After many years of negotiation, an agreement between the United Nations and the Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea was signed in Phnom Penh on 6 June 2003. The trials represent for the Cambodian people an important opportunity for catharsis, healing and coming to terms with the country's recent history. There is a large role for public education efforts to accompany the trials. Independent monitoring of the trials will also be necessary to ensure that they conform fully to international standards of justice, as called for by the General Assembly.

The Special Representative regards the work of non-governmental organizations and other civil society actors as one of the strengths of Cambodian society, and pays tribute to their activities. Yet he has noted a growing tendency on the part of some authorities to dismiss legitimate concerns and complaints as a nuisance, and has been disturbed by acts of intimidation against vulnerable communities striving to protect their rights, such as communities that depend on forests for their livelihood. He underlines the importance of citizens' activities and the necessity of interaction with civil society as essential in a democracy. Cambodia's people must be able to carry out their activities individually and in association with others in accordance with the provisions of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

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I. Introduction

1. The Special Representative of the Secretary-General for human rights in Cambodia was appointed pursuant to the Commission on Human Rights resolution 1993/6 of 19 February 1993 to undertake the following tasks:

(a) To maintain contact with the Government and people of Cambodia;

(b) To guide and coordinate the United Nations human rights presence in Cambodia;

(c) To assist the Government in the promotion and protection of human rights.

2. The present report is submitted in accordance with General Assembly resolution 57/225 of 18 December 2002. It is prepared on the basis of the Special Representative's eighth and ninth official missions to Cambodia and covers the period from January until July 2003.

3. This is the Special Representative's third report to the General Assembly. It builds upon earlier reports to the Assembly and the Commission on Human Rights, the most recent being that submitted to the fifty-ninth session of the Commission (E/CN.4/2003/114), covering the period from July to December 2002. The Special Representative will, in general, attempt to avoid repeating what he has stated in previous reports. However, repetition is inevitable with regard to areas where little or no progress has been made.

II. Activities of the Special Representative of the Secretary-General for human rights in Cambodia

A. Eighth mission to Cambodia

(25 February-4 March 2003)

4. During his eighth mission, the Special Representative focused on the political climate following the riots of January 2003, the preparations for the National Assembly elections, land and forestry concessions, the continuing need for reform of the justice sector, citizens' activities and the negotiations to establish extraordinary chambers for the trials of senior Khmer Rouge figures. Meetings were held with His Majesty King Norodom Sihanouk, representatives of the Government of Cambodia, including Prime Minister Hun Sen, Senior Minister Sok An, Minister of the Interior Sar Kheng, Minister of Agriculture Chan Sarun and Minister for Foreign Affairs Hor Namhong, the National Election Committee (NEC), judges and prosecutors, representatives of civil society, United Nations agencies and members of the diplomatic and donor communities. The Special Representative also visited the province of Stung Treng to familiarize himself with issues in the province and the impact of the operations of a land concession on the human rights of the inhabitants of O'Svay commune.

5. The eighth mission took place at a moment of tension following riots in Phnom Penh on 29 January and in the wake of the murder of Om Radsady, senior adviser to the National Front for an Independent, Neutral, Peaceful and Cooperative Cambodia

(FUNCINPEC) on 18 February. With the upcoming National Assembly elections, the Special Representative dealt extensively with election-related issues. Questions relating to the judiciary, the administration of justice and the legislative process remained high on his agenda.

6. A major area of focus of this mission was the impact of land and forestry concessions on the livelihood and the fundamental human rights of affected communities, including their capacity for creating serious conflict.

B. Ninth mission to Cambodia

(30 June-8 July 2003)

7. During his ninth mission, the Special Representative continued to give priority to the issues raised during his previous visit. He again met with senior ministers of the Government, including Minister of the Interior Sar Kheng, Minister for Agriculture Chan Sarun and Minister for Land Management Im Chhunlem. He also met with leaders of the three main political parties, NEC, judges and prosecutors, members of the Constitutional Council, representatives of civil society and members of the diplomatic community. He visited Battambang province and Pailin municipality, where he met with local officials, provincial election commissions, political party representatives, judges and prosecutors, the Cadastral Commission, victims of a land dispute and non-governmental organizations. He also visited a rubber plantation in Tum Ring, Kompong Thom province. On the day of his departure, the Special Representative released an initial report in connection with the National Assembly elections. A second report will be published when the election process is complete.

8. During his meetings, the Special Representative drew particular attention to the importance of upholding the freedoms of expression, association and assembly during the election period and as part of the broader democratic process, and asked that these rights be guaranteed and protected. He also sought assurances that policing in the post-election period would be carried out in a responsible and professional manner, without the use of excessive force.

III. Major developments and human rights issues of concern

A. General political climate and the 2003 National Assembly elections

9. On 29 January 2003, two weeks after the start of the voter registration period for the National Assembly elections of 27 July, large-scale rioting occurred in Phnom Penh. The Embassy of Thailand and dozens of Thai-owned businesses were attacked and looted by violent mobs. About 20 people received treatment for serious injuries and one woman was shot dead. An adequate explanation for the riots has yet to emerge, and the failure of law enforcement bodies to respond effectively has not been adequately explained by the Government. Senior government figures made public statements linking the political opposition to the riots, although no evidence was produced to support these claims. Approximately 200 persons were arrested during and after the riots, although the majority were later released. Charges remain against some 60 people, ranging from theft and property destruction to criminal

incitement. Those charged with inciting the riots include an independent radio station owner, a newspaper editor and two student youth movement leaders. The two student leaders remain in prison without trial, in contravention of the law stipulating that pre-trial detention should not exceed six months, as do 19 people charged with rioting. Some trials, originally scheduled for June, have been postponed and are unlikely to take place before the formation of a new government.

10. Severe restrictions were placed upon freedom of assembly in the wake of the 29 January riots. While the violence and destruction that took place during those events were deplorable, they do not constitute a valid justification for the subsequent refusal by authorities to authorize a range of planned demonstrations, parades, marches and meetings in both Phnom Penh and provincial Cambodia. Most of these gatherings were banned on public order or national security grounds, the details of which were not provided by the authorities. They include a demonstration planned by the Student Movement for Democracy on 20 March, a non-governmental organization (NGO) voter education drama project planned for several northern provinces in April, a planned march by representatives of women's organizations and victims of domestic violence to the National Assembly on 26 May and a parade to celebrate World Environment Day on 5 June.

11. In cases where demonstrations have taken place without authorization, the Special Representative is concerned at the excessive use of force by law enforcement officers. Sam Rainsy Party members who marched to the National Assembly on 21 May were forcibly dispersed by riot police, with some minor injuries resulting. More serious still was the response to a demonstration at a garment factory on 13 June, which resulted in the deaths of one factory worker and one police officer, and at least 20 other injuries.

12. The limits set on freedom of assembly and the violent dispersal of unauthorized demonstrations are of particular concern in a pre-election period. The Special Representative recognizes the tensions between ensuring the rights to freedom of expression and assembly and preserving public order, but believes that the restriction of these rights has raised questions about the credibility of not only the elections, but also the wider democratic process in Cambodia. A greater commitment is needed to guaranteeing these constitutionally protected rights. Any restrictions of these rights must be limited to those that are necessary in a democratic society and be proportional and narrowly tailored to meet the legitimate objective, in this case preserving public order.

13. During the voter registration period in January-February 2003, there were 10 recorded cases of brief but unlawful arrest and/or detention of opposition activists, which took place while the activists were disseminating party information critical of the Government and conducting other legitimate political activities. While these cases were brought to the attention of NEC by the Cambodia Office of the United Nations High Commissioner for Human Rights (OHCHR/Cambodia), no action appears to have been taken against those responsible.

14. The Special Representative was concerned at the perception among many State actors and institutions that criticism of the Government may amount to criminal incitement and that political party information cannot be disseminated outside the official election campaign period. Political party activists have a right to openly and directly criticize the Government and its policies, as do all Cambodian citizens. Dissemination of information by any person, political party or organization at any

time, regardless of campaign timetables, is not only a constitutionally protected right, but also a prerequisite for a well-informed electorate.

15. In February, two prominent figures were murdered in Phnom Penh. On 6 February, senior monk Sam Bunthouen was shot dead. Twelve days later, FUNCINPEC politician Om Radsady was shot as he left a Phnom Penh restaurant and died a few hours later. An advisor to FUNCINPEC leader Prince Norodom Ranariddh, Om Radsady was the most senior political figure to have been killed in Cambodia since 1997. Within hours of his murder, the Ministry of the Interior publicly stated that theft was the motive behind the attack, thereby prejudging the outcome of its own investigation, and damaging the credibility of the investigation and the Ministry's neutrality. The Special Representative remains concerned by the continuing tendency of Cambodian law enforcement and government officials to publicly declare such cases as being non-political before investigations have been concluded. In March, two military officers were arrested and charged with voluntary manslaughter and robbery. Both men confessed to having accidentally carried out the killing during a robbery, although this explanation is considered highly unlikely by most observers.

16. In April, two members of the judiciary were killed in separate incidents in Phnom Penh. On 9 April, Appeals Court clerk Chhim Dara was shot dead in an attack; his wife was also injured. On 23 April, Phnom Penh Municipal Court Judge Sok Sethamony was shot dead in central Phnom Penh as he drove to work. In a public statement, issued on 15 May, the Special Representative called on the authorities to conduct thorough and impartial investigations into these murders and to prosecute the perpetrators, as well as the people who ordered them. No arrests have been made to date.

17. The methods used in these murders were similar. In each case, the killing was conducted in a public place by a man armed with a handgun, his face hidden by a hat or helmet, who then swiftly escaped on the back of a motorcycle driven by an accomplice. A further murder with the same modus operandi took place on 29 April, when a Chinese factory administrator was shot dead in her car. These murders were carried out in anonymity and with impunity; regardless of motive, they created a climate of considerable anxiety.

18. Some progress has been made in the investigations of 17 murders and suspicious deaths of political party activists and others involved in the electoral process, documented by OHCHR/Cambodia prior to the Commune Council elections on 3 February 2002 (see A/58/268). While convictions have been secured in 10 of these cases, the Special Representative remains concerned about the conduct of the investigations and prosecutions and about the denial of basic criminal process rights, raising serious questions about the reliability of some of the convictions.

19. In the period between the 2002 Commune Council elections and the beginning of the National Assembly election campaign period on 26 June 2003, the OHCHR/Cambodia recorded a further 12 cases of known activists from the three major political parties being killed, including that of Om Radsady. One case involved the double murder of both an activist and his daughter, bringing the total number of deaths to 13. The official election campaign period was relatively free from violence. However, the daughter of a Sam Rainsy Party activist was murdered on 6 August in Kampong Cham province.

20. On 23 June 2003, the Government released a statement, signed by the Prime Minister, that the security forces and authorities at all levels must act with independence and neutrality in their duties, "in order to ensure a political atmosphere of peace, security and safety" and guarantee the human rights of citizens. Unfortunately, this statement was not always respected. Intimidation of both voters and political party activists was observed in many parts of the country in the months preceding the election. This took many forms, including collection of voter identity documents, forced pledging of political allegiance, interference with party signboards, destruction of property, economic threats, threats of renewed armed conflict and death threats. While intimidation continued throughout the official election campaign, there was an overall decrease in violence during this period. Further, there was improved access for political parties to the public service broadcast media during the campaign, in comparison with previous elections.

21. In most cases, NEC, its provincial and local-level subcommittees and law enforcement authorities failed to respond to incidents of election-related intimidation. Only one case is known where the sanctions available to NEC were imposed prior to the elections. In three cases, village chiefs accused of election-related intimidation were temporarily suspended by order of the Ministry of the Interior shortly before polling day.

22. Representatives of several political parties employed racist and xenophobic, and specifically anti-Vietnamese, rhetoric during the election campaign. On polling day, large crowds denied many Cambodians of Vietnamese descent the right to vote at one polling station in Kandal province. Reports have been received of continued harassment of ethnic Vietnamese people during the post-election period. Similar rhetoric used around the time of the 1998 elections was followed by the mob killings of several ethnic Vietnamese persons in Phnom Penh.

23. Polling took place on 27 July without major incident, save for a small explosion near the FUNCINPEC party headquarters in Phnom Penh and the discovery of two grenades with timing devices near the Royal Palace. The technical conduct of the polls was satisfactory in most locations, although there were many reports of registered voters being unable to locate their names on voter lists. The counting process was generally well conducted, although political party observers complained of a lack of transparency at some counting stations.

24. At the time of writing, a political deadlock regarding the formation of a new government has not been resolved. Preliminary results show that the Cambodian People's Party (CPP) received a majority of votes, but has not won sufficient seats in the National Assembly to form a one-party government. The Sam Rainsy Party and FUNCINPEC, the two parties with the potential to form a two-party coalition government with CPP, have declared a lack of willingness to do so. It is to be hoped that the present deadlock will soon be overcome and that a stable democratic government will be formed in the near future.

B. Administration of justice

25. The issue of impunity lies at the centre of problems in the administration of justice and continues to be compounded by the lack of neutrality and independence in the judicial and law enforcement systems, as well as by a low level of professionalism in those bodies. Inadequate funds are allocated to the administration

of justice. The judiciary is subject to executive interference and open to corruption from interested parties. Judges have concerns about their personal security, in the wake of the assassination of Judge Sethamony. Law enforcement officials often fail to enforce court orders and judgements, and sometimes act in open defiance of their terms.

26. Many practices in the criminal justice system do not appear to be sanctioned by law and are contrary to the due process guarantees in the Constitution. Even such basic principles as the presumption of innocence and other guarantees contained in article 14 of the International Covenant on Civil and Political Rights are routinely violated. While there has been some progress in the willingness of law enforcement authorities to investigate crimes that seem to be politically related, much room for improvement remains in the conduct of the investigations and the judicial process that follows in terms of respect for basic principles of fair trial and criminal procedure. There are concerns that convictions secured in some of these high-profile cases are unreliable, reinforcing the widespread lack of confidence in the justice system. In many cases, convictions are based on insufficient evidence or secured in absentia. The readiness of courts to convict solely on the basis of confessions extracted in police custody is commonplace, as are allegations that many such confessions have been extracted under duress. The explicit guarantee in article 38 of the Constitution that confessions obtained by duress are inadmissible as evidence of guilt is rarely respected. Practices of torture and cruel, inhuman and degrading treatment of persons in police custody remain a serious concern, as does the failure to prosecute and appropriately punish responsible officials.

27. Equality before the law and before courts and tribunals is not a reality in Cambodia. Impunity for those responsible for human rights violations, especially the police and military and those in positions of political and economic influence, remains a serious problem. Use of available resources in the justice sector is often skewed and discriminates against the poor. Lack of transport to courts means that trials and appeals are often delayed — exacerbating overcrowding in prisons and extending pre-trial detention — or held in absentia, violating the right of defendants to be present at their own trials. Judges often hand down significant sentences for very minor offences and prosecutors sometimes seek even higher sentences, while the criminal justice system frequently fails to deal with more grave offences.

28. Access to justice could be facilitated by ensuring access to legal advice and representation for Cambodia's poor. Article 76 of the 1993 Law on Criminal Procedure attempts to explicitly incorporate the guarantee, contained in article 14 of the Covenant, of legal assistance to be provided to the accused, free of charge for those without the means to pay. While no data are available to indicate the number of cases conducted without representation, owing to a lack of systematic data collection, many accused persons appear unrepresented before the courts. Further, the overwhelming majority of civil cases, even serious cases such as disputes over land title as the result of land grabbing, are conducted without representation of the most vulnerable parties.

29. The majority of Cambodia's citizens are unable to pay for legal representation and advice. The provision of legal aid is currently left to the Legal Aid Department of the Bar Association and a few NGOs, none of which is State-funded. Nor do these organizations have the necessary resources to deal with the 26,199 cases (9,303 criminal cases and 16,896 civil cases) that were before adjudicate courts

during the year 2002, according to a report of the Council for Legal and Judicial Reform. There is a need to develop a legal aid scheme to provide basic legal services for the poor, including the possibility of a State-assisted legal aid fund as has been established in other countries. The Special Representative welcomes moves to discuss this important issue at a conference later in the year, co-organized by the Ministry of Justice and the Bar Association.

30. Little or no improvement has been observed in the condition of Cambodia's prison population during the reporting period. Cambodia's prisons remain overcrowded, with heavy prison sentences being the standard punishment for even minor offences. Approximately 30 per cent of inmates are in pre-trial detention, with more than 10 per cent of these detained without trial beyond the legal limit of six months. Overcrowding, lack of access to potable water, poor sanitation, disease and inadequate nutrition continue to jeopardize the health of prisoners. Visits by the families of prisoners continue to be restricted and regularly subject to unlawful demands for payment. The United Nations Standard Minimum Rules for the Treatment of Prisoners, which are incorporated into Cambodia's law and prison procedures, are routinely ignored. Although some assistance has been provided by some international organizations, the financing, administration and regulation of Cambodia's prisons remain in need of serious attention. The Special Representative will resume the constructive dialogue he began with the prison authorities and NGOs last year to address these problems on his next mission to Cambodia.

31. In a further demonstration of the failure of the rule of law, cases of mob killing have continued throughout Cambodia, in many instances with the acquiescence or active participation of the police. The Special Representative strongly reiterates the recommendations he put forward in his June 2002 report on street retribution (see E/CN.4/2003/114, para. 28), which have yet to be implemented by the Cambodian authorities. Since the report's release, OHCHR/Cambodia has documented 15 further cases of mob killing.

C. Compliance with international human rights obligations

32. Cambodia is party to the six main international human rights treaties. The 1993 Constitution, which itself contains important human rights guarantees, provides explicitly for their incorporation into domestic law. However, their implementation in practice has been poor and problems of implementation are compounded by a legal system that fails to provide effective remedy to enforce these rights.

33. There continues to be little understanding among government officials and judges that all laws are subject to the Constitution, that they cannot be implemented in a way that restricts the rights and freedoms it guarantees, and that laws are invalid if they are inconsistent with the Constitution. Thus, while the Constitution protects freedom of expression, Cambodia's criminal defamation and disinformation laws have been misapplied to restrict this right, for example, as regards the dissemination of materials by political opposition parties. As noted earlier, significant restrictions have also been placed on freedom of assembly without regard to protected rights.

34. There are few means to enforce legally guaranteed rights in Cambodia, where the judiciary continues to lack independence and professional competence and the Constitutional Council is largely inactive, effectively leaving the country without an institution to rule on the constitutionality of legislation. The Government has faced

critical delays in meeting its international reporting obligations. The Government-established Cambodian Human Rights Committee, which has been entrusted with preparing treaty reports, lacks basic resources, qualified staff and a budget allocation. The Special Representative urges the Government to engage more fully in the reporting processes under the international human rights treaties, established to assist States parties with compliance.

35. The reporting process and implementation of the recommendations of the treaty bodies should be viewed as providing valuable assistance in effectively incorporating treaty provisions into Cambodia's laws and practices. It is thus unfortunate that the Government did not send a delegation to attend the examination by the Committee against Torture of Cambodia's initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in April 2003 (CAT/C/21/Add.5). The Special Representative nonetheless hopes that the Government will now give priority to responding to the Committee's provisional conclusions and recommendations (A/58/44, paras. 93-100) in a timely manner, as it has requested, thereby demonstrating Cambodia's commitment to implementing the Convention. He also encourages Cambodia to consider accepting the individual communications procedures under a number of treaties in order to increase accountability and provide a mechanism of redress for victims of human rights violations with no effective remedy available to them at the domestic level.

D. Justice sector and accountability

36. The principle of the separation of powers and the notion that the exercise of power should be subject to legal constraints are enshrined in the Constitution, but are far from being understood and respected in Cambodia. The executive remains reluctant to relinquish power to the judicial and legislative arms of Government. The Supreme Council of the Magistracy is largely ineffectual, effectively leaving Cambodia without an institution to discipline its judges. Members of the Government should be collectively and individually accountable to the National Assembly for the overall policy and individual conduct of government officials as provided for in article 121 of the Constitution. Also fundamental is the establishment of a more open culture in government, which would be assisted by a change in administrative practices and the enactment of freedom of information legislation to facilitate access to information held by public authorities. While the Government has recognized the urgent need for reform and strong anti-corruption measures and has defined specific actions to address these problems, progress has been disappointing. At the mid-term review meeting of the Consultative Group of Donors at the end of January 2003, donors expressed concern over inaction in major reform areas and failure to meet benchmarks agreed upon earlier on reforms in the legal, judicial and social sectors, public administration, fiscal measures and natural resource management.

1. Justice sector reform

37. Since January 2003, there have been some positive developments in the area of legal and judicial reform. Judges and prosecutors have received increased allowances; schools for training judges, prosecutors and legal practitioners have started operating; a national strategy on legal and judicial reform has been adopted and a draft anti-corruption law was approved by the Council of Ministers in June

and is awaiting adoption by the National Assembly. However, few, if any, cases of corruption have been prosecuted in the courts under existing legislation, the Supreme Council of the Magistracy awaits reform and the draft law on the status of judges and prosecutors has yet to be submitted to the National Assembly.

38. At a meeting on 20 June 2003, the Council of Ministers approved a "Justice Sector Reform Programme", described as providing an overall framework for legal and judicial reform in Cambodia. It contains an ambitious draft programme of action, outlining over 90 activities to be undertaken in order to implement the strategy. For this programme to be more effective than its unimplemented predecessors, it will be essential to establish clear priorities and a realistic time frame. Little attention has been given to Cambodia's international human rights obligations and the need for all aspects of the legal reform agenda to be consistent with them. Gender issues are not addressed, nor is juvenile justice. More serious measures will be needed in order to overcome the problem of corruption. The need to draft a number of laws is correctly identified, but the realities of the non-implementation of law in Cambodia are not acknowledged. Nor does the programme address the fact that Cambodia, with its low literacy rates and few trained jurists, requires readily understandable and accessible laws. The proposed programme will be the subject of broad consultations and informed public debate in its further elaboration, and judges and prosecutors should be actively consulted. A strong political will is required to overcome the glaring gap between the "*pays légal*" and the "*pays réel*".

2. Legislative process

39. While commitment is regularly expressed to a participatory law-making process in documents such as the "Justice Sector Reform Programme", the process is not implemented in practice. Some laws and sub-decrees, drafted with donor assistance, have been the subject of public consultations, but often little regard has been given to the comments made.

40. It is also troubling that "line ministries" responsible for drafting laws have tended to leave decisive elements of the laws to be dealt with by sub-decree, proclamation, or even guidelines, thus usurping legislative power. Executive regulations are not subject to public discussion and scrutiny in the form of debate in the National Assembly.

41. Currently, the Penal Code and the Code of Criminal Procedure are being drafted with the assistance of experts from France and the Civil Code and the Code of Civil Procedure are being drafted with the assistance of experts from Japan. It is important that these laws be straightforward and accessible and that consistency between the Codes, as well as with existing legislation, is ensured.

3. Access to government information

42. It remains difficult to obtain access to basic information held by public authorities, even public reports, draft laws that have been tabled in the National Assembly, government instructions and circulars, all of which are often treated as if they were confidential. Civil society groups face considerable problems in accessing information that is in the public interest, as do the media, despite the latter's right to access certain information being provided for in the Law on the Press. The problem

of accessing information is customarily overcome through personal contacts, rather than through institutionalized and transparent mechanisms.

43. The enactment of legislation giving citizens a right of access to information held by public authorities would assist in creating more open and accountable government and informed public policy and debate. Many countries in Asia have either enacted such laws or are about to do so, including Thailand, the Philippines and Japan. The Government and civil service must also show a greater commitment to making information available, especially information relating to issues that are of public interest. The national budget should include provision for the administration of information requests.

4. Corruption and disbursement

44. The World Bank's recent confirmation that it has declared misprocurement on a contract related to the Cambodia Demobilization and Reintegration Project again raised the issue of corruption, which remains endemic through all levels of society in Cambodia. The enjoyment of all rights — be they economic, social, cultural, civil or political — is seriously undermined by the phenomenon of corruption. Despite the absence of broad public consultation prior to the adoption by the Council of Ministers of the Anti-Corruption Law, the move towards enacting such legislation is welcome. However, it needs to be accompanied by a commitment at the highest levels to prosecute cases of corruption. While existing provisions of the criminal law relating to corruption, bribery and embezzlement are adequate, the problem lies with the failure to prosecute under these laws. The Coalition for Transparency has continued with its work of mobilizing support towards tackling these issues in 2003.

45. The Special Representative has long been concerned about problems of low and slow disbursement of national budget allocations and their impact on the health, education and judicial reform sectors. For example, less than 10 per cent of the total health budget for 2003 was released for the first half of the year. The issue of disbursement has recently been drawn to the attention of the Ministry of Finance by the Social Sector Working Group, and a task force is to be established to deal with this issue.

E. Land and forestry issues

46. Land continues to be a major source of conflict and of human rights violations in Cambodia, where over 80 per cent of the population is dependent upon agriculture for their livelihood. The Special Representative continues to question the Government's policy of granting large-scale agricultural, forestry and other concessions to private companies, in particular their adverse effects on the livelihood and fundamental human rights of affected communities. In the case of large-scale agricultural plantations, concessionaires are permitted to clear private State land for exploitation, including forest land (see para. 53 below), and have rights of control over land almost as expansive as those of owners. According to a list provided by the Ministry of Agriculture, Forestry and Fisheries to OHCHR/Cambodia in February 2003, the Council of Ministers has approved 40 land concessions for agricultural purposes covering approximately 800,000 hectares, or 4 per cent of Cambodia's territory. Most were granted between 1996 and 2000 and 25 involve contracts between private companies and the Government, covering

approximately 700,000 hectares. Forest and land concessions together cover approximately 20 per cent of Cambodia, thereby exacerbating problems of access to land for the general population.

47. While such concessions are made in the name of development, they have not always benefited the communities that depend upon them, nor led to human and sustainable development. The establishment of many large-scale agricultural plantations has created conflicts and contributed to the impoverishment of local populations living close to or within their boundaries by destroying the forest and their sources of income, limiting the extension of agricultural land for future generations and forcing local inhabitants to give up their traditional livelihood to become cheap labour for concession companies. However, in certain cases these companies create few or no jobs for the local population. The presence of the companies has also created a climate of fear in some of the affected areas, with armed guards — often former military personnel — employed to defend company interests. According to the list provided by the Ministry of Agriculture, Forestry and Fisheries, 16 of the 25 concessionaires have complained about new settlers encroaching on concession land and about conflicts with and complaints from local people. Since most concessionaires pay neither the required deposit nor rental fees to the State, it is hard to see what contribution they are making to the country and the welfare of its people.

48. The Special Representative has now visited two land concessions (Cambodia Haining Group Company Ltd. in Kompong Speu and Flour Manufacturing Company Ltd. in Stung Treng) and one rubber plantation (Tum Ring rubber plantation in Tum Ring commune in Kompong Thom), where he met with local people and discussed the impact of the companies' activities on their livelihoods.

49. In 1999, the Flour Manufacturing Company Ltd. was granted 7,400 hectares of agricultural land inside a forest zone where villagers from O'Svay commune farmed and collected products from the nearby forest. In 2001, after having cut down large areas of dense forest the previous year, the company bulldozed a 100-hectare area of land, most of which was primary forest. It also restricted the access of local people to the remaining forest and to agricultural land belonging to the concession. The local people have been increasingly concerned about their deteriorating living conditions and the destructive effects of the company's activities on the natural environment and wildlife.

50. In Tum Ring commune in Kompong Thom province, a 6,400-hectare area of forest was excised from three forestry concessions in 2001 and classified by sub-decree as a "State public establishment rubber plantation" operated by the Chup Rubber Plantation Company. The social and economic impact on the local populations has been severe. The local communities were not consulted, and more than 2,000 people who previously earned their livelihood in the ricefields, tapping resin trees and collecting forest products have seen much of their forests destroyed and have lost their incomes. It is doubtful that this traditional society will have the will and the skills to adjust to rubber plantation activity. Furthermore, hundreds of resin trees have been felled in breach of the Forestry Law and the Government's own condemnation of illegal logging. Large parts of primary forest have been cut and the land bulldozed. The proposal of a logging company to transport logs from the rubber plantation to an outside sawmill in contravention of the moratorium on transporting round logs has generated considerable concern and protest. In spite of

the moratorium, big logs fraudulently declared as firewood are driven out of the area. The Special Representative wrote a letter to the Prime Minister at the conclusion of his ninth mission to draw to his attention the serious situation in Tum Ring and to request his assistance.

51. The Land Law still requires the adoption of a large number of sub-decrees and proclamations for its provisions to be fully implemented. Most importantly, the Sub-Decree on Land Concessions for Economic Purposes and the Sub-Decree on Procedures for the Reduction and Specific Exemptions of the Land Concessions that exceed 10,000 hectares must be prepared and adopted swiftly. Fourteen concessions are over 10,000 hectares, the maximum size permitted by article 59 of the Land Law, and will need to be reduced in size. The largest concessionaire is Pheapimex Company Ltd. in Pursat and Kompong Chhnang provinces (315,000 hectares). It is a matter of grave concern that a concession was granted on 23 November 2001 to Green Sea Industry Company in Stung Treng province (100,852 hectares) several months after the adoption of the Land Law, in clear contravention of article 59. The Special Representative hopes that no further concessions will be granted pending the adoption of these two sub-decrees.

52. Several land concession companies do not comply with the law and have otherwise violated the terms of their contracts — for instance, by failing to pay the required deposit and rental fees, not exploiting the land within the first 12 months, or failing to delimit boundaries and undertaking illegal logging outside the boundaries of the concession. According to the information provided by the Ministry, only nine concession companies have paid a deposit and only six have delimited boundaries. The Special Representative has recommended that the contracts of those concessionaires that are violating the law or are in serious breach of the terms of the contracts be cancelled. He is encouraged by the promised cancellation of five land concession contracts announced by the Minister of Agriculture during the Special Representative's eighth mission, although he notes that these concessions are not significant in size.

53. Land concessions should no longer be granted in areas covered by primary forest, which is contrary to the Land Law, and contracts awarding concessions situated in primary forest areas should be immediately withdrawn. Primary forest is considered to fall within the definition of "public State land" while land concessions are only permitted on "private State land". In order to help clarify these matters further, the Government should also adopt a law on State land, in order to define private State land and public land.

54. The Sub-Decree on Land Concessions for Social Purposes was adopted on 19 March 2003, a welcome development. The objective of the sub-decree is to define the criteria, procedures and mechanisms for granting social concessions for residential use and/or subsistence cultivation. The Ministry of Land Management plans to establish a pilot project in several provinces to start implementing the sub-decree, which must be applied with regard to Cambodia's international human rights treaty obligations. The Special Representative maintains a concern about the location of the lands attributed for social concessions, as the sub-decree does not specify the obligations of the State to establish in social concession areas infrastructure such as schooling and access to health and employment opportunities for the populations concerned, in accordance with its obligations under the International Covenant on Economic, Social and Cultural Rights and the

International Covenant on Civil and Political Rights. He is also concerned about the small amount of land available for social concessions since much of the land that would be appropriate for social purposes is now controlled by large forestry or industrial agricultural concessions.

55. The Forestry Law, which came into effect on 31 August 2002, also requires the adoption of several sub-decrees and proclamations for its full implementation. While the objective of this legislation is to regulate the management and administration of Cambodian forests in a sustainable way, illegal logging continues in forestry concession areas. The Sub-Decree on Community Forestry is still being drafted; it must be adopted as a matter of priority in order to protect the rights and interests of forest-dependent communities and to provide an adequate legal framework for community involvement in the sustainable management of the forests and their resources.

56. The Land Law delegates considerable powers to the executive branch of Government. Yet it is difficult to obtain access to information relating to land concessions, such as contracts and maps, which concern matters of significant public interest. These difficulties have highlighted the urgent need, as noted earlier, to develop open administrative practices and policies and to adopt and implement freedom of information legislation.

57. The Government has sought to establish a system of land distribution since 1979. Cambodia is now embarking on a process of economic development that is generating new pressure on the rural poor. Demographic pressures; precarious, unsettled populations, with many coming from former refugee camps; the opening to a market economy and speculation leading to land grabbing by powerful people are among the problems it faces. With the ending of armed conflict, large tracts of land have also become valuable, tempting the military to declare ownership rights over former battlefields and uncontrolled remote areas.

58. Many land disputes involve disputes between villagers and private companies, State institutions and members of the military. The traditional system of conciliation has its limits, requiring more formal institutions of resolution. At present, neither the Cadastral Commission structure, established in July 2002, nor the courts function effectively to resolve land disputes or to provide remedy for related human rights violations.

59. Thus far, no case has been resolved by a Cadastral Commission. The Ministry of Land Management recently indicated that all members of the Cadastral Commission at national and provincial levels were fully trained in land dispute settlement procedures and that all documents and forms used in the dispute settlement process had been provided. However, before the Commissions can become operational, funds must be disbursed to meet investigation, transportation and administration costs.

60. The Special Representative met with victims of land conflicts from Kos Kralor district in Battambang province during July. The difficult and complex situation in Kos Kralor is illustrative of the wider land problem in Cambodia, involving hundreds of poor and vulnerable families confronting powerful interests. He sees their plight as exemplifying recurring problems in the administration of land and the weakness of the mechanisms for dealing with land disputes and related violations of human rights. He discussed the situation in Kos Kralor with the authorities in

Battambang and Phnom Penh and has urged a rapid and just solution to the conflict that will meet the needs of the affected population. He received an assurance that, pending such a solution, the people concerned will stay where they are.

61. Non-governmental organizations and groups working to protect natural resources, and communities dependent on these resources, must be able to conduct their activities in a secure environment. In his last report to the Commission on Human Rights, the Special Representative discussed the violent dispersal of representatives of forest-dependent communities on 5 December 2002 outside the Department of Forestry and Wildlife (E/CN.4/2003/114, para. 59). Following this event, OHCHR/Cambodia received reports that a forestry network operating in Cambodia's north-eastern provinces of Kratie, Strung Treng and Mondulkiri faced intimidation and threats from local authorities. On 10 February 2003, after several declarations of intent to do so, the Government's Advocate General filed a complaint with the Phnom Penh Municipal Court requesting charges of disinformation and incitement to the commission of a crime to be filed against Global Witness coordinator Eva Galabru. The complaint was eventually dropped at the end of that month under pressure from NGOs and the donor community. Understandably, these events have led some local organizations to limit their activities until they can carry out their work in safety.

F. Economic and social rights

1. Housing and relocation issues

62. While urban drift is at the root of the growing number of informal settlements in Phnom Penh, several factors have resulted in the displacement and permanent relocation of large numbers of people in Phnom Penh: private investment, the increasing value of land in urban areas, infrastructure development and natural disasters. The urban poor remain particularly vulnerable to forced evictions. Article 29 of the Land Law provides that any attempt to occupy vacant land after the Law came into force in August 2001 shall have no legal effect. Large numbers of people wait for land distribution from the State through concessions for social purposes. From a broader policy perspective, the right to housing guaranteed in the International Covenant on Economic, Social and Cultural Rights is not taken into account in the formulation of national housing policies.

63. The Special Representative continued to examine several issues relating to relocations, including those relating to relocation sites. The practical set of relocation guidelines developed by NGOs in August 2001, with the involvement of the Municipality of Phnom Penh, have yet to be fully utilized by the authorities. The Special Representative discussed this matter with Kep Chuk Tema, the recently appointed Governor of Phnom Penh, during their meeting in July. He also drew to the Governor's attention the continuing plight of the some 800 families in Anlong Krognan who remain without land, despite promises made by his predecessor.

64. In May 2003, the Urban Poor Development Fund requested the authorities to develop housing policies for poor communities in urban areas. The Governor of Phnom Penh, in a subsequent letter to the Prime Minister, requested the Government to grant land to families living in four squatter settlements in Phnom Penh. In a welcome development, the Government responded positively to this request on 8 July. This will help to upgrade the shelter conditions of these families.

2. Accession to the World Trade Organization

65. Cambodia's entry into the World Trade Organization (WTO) is expected to be approved by the Ministerial Conference to be held in September 2003 in Cancun, Mexico, making it the first least developed country to join the organization. Some non-governmental and civil society organizations have raised the concern that there has been too little explanation and public debate on the conditions to which the Government has agreed and on how entry into WTO will contribute positively to poverty reduction and to the realization and enjoyment of human rights by Cambodia's people.

66. Cambodia's accession to WTO raises important human rights concerns. Some observers have commented that opening the country's health-care system to foreign health-care providers and drug companies could damage efforts to establish a viable health-care system for all. The introduction of intellectual property protection might also negatively affect drug prices and availability. The impact of agricultural trade liberalization could also have an adverse effect on rural lifestyles, rural employment and food security.

67. There are concerns that a process of accession and negotiation that compels Cambodia to accept conditions that are not appropriate for the local situation could adversely affect a majority of the population. Although trade liberalization may offer prospects of economic growth and development, the costs of adjustment, often borne by those who are most vulnerable, must be taken into account. The extent to which trade liberalization will help to eradicate poverty will depend on its form, pace and sequencing.

68. WTO membership will provide a legal framework for the commercial dimension of trade liberalization. The social dimensions will need to be addressed through the legal framework established by the norms and standards of human rights. Economic, social and cultural rights set comprehensive objectives for trade liberalization that go beyond commercial objectives by establishing benchmarks of minimal achievement.

G. Khmer Rouge trials

69. The agreement between the United Nations and the Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea was signed in Phnom Penh on 6 June 2003, following a process of negotiation that took several years. The National Assembly has still to approve the agreement, as required by the Constitution, and many practical steps need to be taken before the establishment of the Extraordinary Chambers, within which the trials will be conducted.

70. This should be Cambodia's first serious attempt at dealing with the crimes that were committed during the period of Democratic Kampuchea and with the legacy of its recent past. It is hoped that the trials will promote a better sense of justice and reconciliation in the society more generally. There is a large role for public education in the period preceding and during the trials. Cambodia's non-governmental organizations, and individuals such as Cambodia's acclaimed film director Rithy Panh, are well placed to develop and undertake such programmes. They should receive the support that will be necessary to enable them to do this. It is

hoped that the trials, together with public education efforts, will help to establish and acknowledge the facts of Cambodia's recent history and help to repair the suffering that has been inflicted on its people.

71. Independent monitoring of the trials will also be essential to ensure that they conform fully to international standards of justice, as called for by the General Assembly. If the trials are conducted in proper and independent manner, and if those most responsible are held accountable for the crimes they committed, it may be easier to confront continuing impunity and to reform institutions such as the police, the judiciary and the courts.

72. Cambodia ratified the Rome Statute of the International Criminal Court (ICC) on 11 April 2002, a development welcomed by the Special Representative in a previous report. Just as Cambodia is about to bring those responsible for grave breaches of international law to trial, the Special Representative was dismayed to read reports in June that Prime Minister Hun Sen has agreed to enter into a reciprocal bilateral agreement with the United States of America, preventing the surrender to ICC of United States nationals in Cambodia and of Cambodian nationals in the United States.

H. Refugees and asylum-seekers

73. On 25 July 2002, dissident Vietnamese monk Venerable Thich Tri Luc, who had been granted refugee status by the Office of the United Nations High Commissioner for Refugees (UNHCR) in Cambodia, "disappeared" from a Phnom Penh guesthouse. While no information was forthcoming regarding his whereabouts for more than a year, recent reports in the press and from NGOs indicate that he is being held in detention in Ho Chi Minh City awaiting trial on unspecified charges. When coupled with numerous reports last year that Montagnard asylum-seekers were forcibly returned to Viet Nam, Thich Tri Luc's fate brings into question Cambodia's will to comply with its international obligations under the 1951 Convention relating to the Status of Refugees.

74. As previously reported, few members of ethnic minorities from Viet Nam's central highlands (known collectively as Montagnards) have been able to seek asylum in Cambodia since the closure and destruction of a camp operated by UNHCR in the border province of Mondulkiri on 15 April 2002. Since the beginning of 2003, only 24 Montagnard asylum-seekers have been able to safely reach UNHCR offices in Phnom Penh to have their claims determined. It is not possible to assess how many asylum-seekers may have failed to reach their destination. UNHCR continues to be denied the free access to the border areas that it needs in order to enable it to examine the claims of those seeking asylum. There are also credible reports that those who have assisted the Montagnard asylum-seekers have been subject to harassment by local authorities.

75. As the Special Representative has repeatedly stated, Cambodia must comply with its international obligations under the 1951 Convention and the 1967 Protocol, relating to the Status of Refugees in particular the core principle of non-refoulement. The forcible deportation of refugees and asylum-seekers to countries where they risk torture and ill-treatment also contravenes Cambodia's obligations under article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

IV. Conclusions and recommendations

A. Conclusions

76. **The Special Representative welcomes improvements in the conduct of the National Assembly elections and hopes that these will be built upon in the conduct of future elections and that a commitment will be demonstrated to overcome some of the problems that continue to be encountered. In this regard, he will issue a second report on the National Assembly elections once the election process is complete.**

77. **As the Special Representative has stated on many previous occasions, he feels a deepening commitment to the welfare of Cambodia and its people. He hopes that the process of forming a new Government will proceed peacefully. As demonstrated by this and previous reports, the new Government will need to address many problems in the effort to build democratic institutions and secure the observance and enjoyment of human rights in Cambodia. The Special Representative is convinced that these problems can be overcome. It is in this spirit that he puts forward the following recommendations. Others are to be found in the body of this report.**

B. Recommendations

1. Justice sector and accountability

78. **The Government must take steps to reform the justice sector in order to establish an independent judiciary, an ethical legal profession and discipline among judges and prosecutors and to fight corruption effectively.**

79. **The Government should give priority to providing access to justice for the poor and design and establish a legal aid scheme appropriate to Cambodia.**

80. **Access to information held by public authorities has to be provided and legislation giving citizens the right of access to such information should be enacted and implemented, thereby assisting the effort to build open government, inform public debate and reduce corruption.**

2. Administration of criminal justice

81. **The police and the courts must ensure the impartial enforcement of the criminal law. In particular, they must ensure neutrality in the conduct of all investigations and prosecutions, including of those cases relating to suspicious deaths where political motives may be involved.**

82. **The Government and law enforcement officials must ensure that all demonstrations are policed in a responsible and professional manner and without the use of excessive force.**

83. **Restrictions on freedom of assembly should be limited to those strictly necessary in a democratic society, be proportional and be narrowly tailored to meet the legitimate objectives.**

3. Land and forestry issues

84. **The Government should continue its review of land concession contracts and their implementation to ensure that they comply with Cambodian law and related sub-decrees. It should cancel contracts where concessionaires have committed serious breaches of the law or their contracts and ensure that all remaining contracts are brought into compliance with the law.**

85. **The Government should ban the granting of land concessions in areas of primary forest and cancel existing concessions in such areas.**

86. **The Sub-Decree on Land Concessions for Economic Purposes and the Sub-Decree on Procedures for the Reduction and Specific Exemptions of the Land Concessions that exceed 10,000 hectares must be prepared, adopted and implemented swiftly. No further concessions should be granted pending the adoption of these sub-decrees.**

87. **The Government should adopt the Sub-Decree on Community Forestry in order to protect the rights and interests of forest-dependent communities and to provide an adequate legal framework for community involvement in the sustainable management of forest resources.**

4. Non-governmental organizations

88. **Non-governmental organizations and Cambodia's citizens must be allowed to carry out their work in accordance with the provisions of the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.**

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Education and public information activities in the field of human rights

Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the report of the United Nations High Commissioner for Human Rights on human rights education, including the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights, which was submitted in accordance with General Assembly resolutions 57/206, entitled "Human rights education", and 57/212, entitled "United Nations Decade for Human Rights Education, 1995-2004".

* A/58/150.
** The present report was submitted on 15 August 2003 so as to include as much updated information as possible.

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Report of the United Nations High Commissioner for Human Rights on education and public information activities in the field of human rights

Summary

In its resolution 57/212 entitled "United Nations Decade for Human Rights Education, 1995-2004", the General Assembly requested the United Nations High Commissioner for Human Rights to bring the resolutions to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information and to report to the Assembly at its fifty-eighth session on the progress made towards the achievement of the objectives of the Decade.

Accordingly, the present report includes information received from those actors and other information on human rights education activities undertaken by the Office of the High Commissioner between December 2002 and early July 2003. Earlier activities are highlighted in the report to the Commission on Human Rights at its fifty-ninth session entitled "Promotion and protection of human rights: information and education" (E/CN.4/2003/100).

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I. Introduction

1. This report is submitted in accordance with General Assembly resolutions 57/206, entitled "Human rights education", and 57/212, entitled "United Nations Decade for Human Rights Education, 1995-2004".

2. Since the last session of the General Assembly, the Secretary-General has reported to the Commission on Human Rights on public information activities in the field of human rights (E/CN.4/2003/99) and the High Commissioner for Human Rights has reported to the Commission on the implementation of the Plan of Action of the United Nations Decade for Human Rights Education (E/CN.4/2003/100). The present report includes information on human rights education and public information activities undertaken by various actors between December 2002 and July 2003.

II. Implementation of the Plan of Action for the United Nations Decade for Human Rights Education

3. This section follows the structure of the Plan of Action (A/51/506/Add.7, appendix), highlighting the advancements in the implementation of some of its components.

A. Component one: assessing needs and formulating strategies for human rights education

4. The High Commissioner presented to the last session of the Commission on Human Rights, at its request, a study on the follow-up to the Decade for Human Rights Education (E/CN.4/2003/101). The study included the views of various actors on possible means of strengthening human rights education at the national, regional and international levels and took into account the recommendations of the global mid-term evaluation of the Decade undertaken by the Office of the High Commissioner in 2000 (A/55/360, sect. V). Many of those recommendations are also relevant for the follow-up to the Decade and should be taken into account when formulating policies for the future.

B. Components two and three: strengthening international and regional programmes and capacities for human rights education

1. United Nations system

(a) Office of the United Nations High Commissioner for Human Rights

5. The contribution of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to the Decade's objectives has focused on the courses of action described below.

Ensuring basic worldwide coordination for the Decade and facilitating networking and information-sharing among the Decade's actors

6. The Office has continued to facilitate the flow of information among different actors involved in the Decade's activities, including through a special page of its web site (http://www.unhchr.ch/education/main.htm). In May 2003, OHCHR requested Governments, non-governmental organizations (NGOs) and international organizations to provide information for the present report.

7. OHCHR has further developed its Database on Human Rights Education and Training (http://www.unhchr.ch/hredu.nsf), which is accessible to anyone interested. Information on 600 institutions and 250 new entries were introduced. In the context of the forthcoming establishment of the OHCHR Documentation Centre, the Office will merge this database with other in-house databases.

8. OHCHR has also continued to develop its resource collection on human rights education and training, which is publicly accessible at OHCHR headquarters in Geneva and will be a specialized collection of the Documentation Centre. It includes more than 1,800 items for human rights education and training, including audio-visual materials, produced at all levels.

9. The eleventh Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asian and Pacific Region (Islamabad, 25-27 February 2003) included a specific component on human rights education (for the report of the Workshop, see document E/CN.4/2003/109). As part of the implementation of this component, in July 2003 OHCHR commissioned from the Asian Regional Resource Center for Human Rights Education a study on popular and non-formal human rights education methodologies used in the region, with particular attention to those that are directed to vulnerable, disadvantaged and marginalized groups.

10. The Office has substantively participated in or supported educational activities organized by institutions and organizations at the international level (e.g. the United Nations Educational, Scientific and Cultural Organization; the International Network — Education for Democracy, Human Rights and Tolerance; and the Centre international de formation à l'enseignement des droits de l'homme et de la paix) and at the regional level (e.g. the Democracy and Human Rights Education in Europe Network and the Arab Institute for Human Rights).

Supporting national capacities for human rights education

11. OHCHR has continued its technical cooperation activities aimed at strengthening national capacities in the field of human rights, including human rights education and public information. Details of these activities are provided in the report of the Secretary-General on advisory services and technical cooperation in the field of human rights to the Commission on Human Rights (E/CN.4/2003/112).

Assisting grass-roots human rights education initiatives

12. The Assisting Communities Together (ACT) project was initiated in 1998, in cooperation with the United Nations Development Programme (UNDP), to assist organizations at the local level in carrying out activities aimed at strengthening the promotion and protection of human rights in local communities. In 2003, OHCHR continued the third phase of the project (launched in December 2001), under which

OHCHR and UNDP allocated 206 grants (144 financed by OHCHR and 62 by UNDP country offices) in 29 countries; by mid-July 2003, 76 projects had been completed. The third phase of the ACT project has been marked by increased cooperation with local UNDP offices which, in 18 countries, committed additional funding. OHCHR and UNDP are planning to launch a fourth phase of the ACT project in September 2003.

13. Development of human rights training materials and dissemination of the Universal Declaration of Human Rights are reported on below.

(b) United Nations Educational, Scientific and Cultural Organization (UNESCO)

14. UNESCO has been active in the field of human rights education since its inception. UNESCO and its member States have indicated human rights education as one of the strategic priorities for the organization and a key element for the promotion of the right to quality education.

15. In 2003, UNESCO focused particularly on strengthening existing networks (UNESCO Chairs in Human Rights, Democracy, Peace and Tolerance and a network of human rights research and training institutions) and on the publication of educational and information materials.

16. UNESCO implemented national and subregional projects which focus primarily on the formal education system and include the revision of curriculum and textbooks; the training of trainers, educators and administrative personnel; and the production of educational materials, teacher guidelines and training materials. Among these projects are the following: "Intercultural and human rights education in Albania"; "Education for human rights, peace and democracy in Southern Africa"; and "Education for democratic citizenship: from policy to effective practice through quality assurance in South-East Europe".

17. Within the context of the reform of the United Nations, UNESCO is developing the "UNESCO strategy on human rights", which will be centred on:

(a) Monitoring human rights education in member States as part of the right to education;

(b) Mainstreaming human rights education into national education systems, taking into account the diversity of cultures, historical developments and the history of education in each country;

(c) Integrating human rights education in Education For All (EFA) national plans;

(d) Assisting Governments in the preparation and implementation of national plans of action for human rights education, as requested by the General Assembly during the Decade;

(e) Building strategic partnerships with United Nations specialized agencies and intergovernmental organizations, non-governmental organizations and other civil society associations in order to enhance effective implementation of human rights education at international, regional and national levels. National commissions for UNESCO have an essential role to play in this regard;

(f) Promoting existing UNESCO networks (UNITWIN/UNESCO Chairs, Associated Schools, UNESCO associations and clubs) and establishing new ones;

(g) Awarding the biannual UNESCO Prize for Human Rights Education for exemplary contributions of teaching institutions, organizations or persons.

(c) International Labour Organization

18. The International Labour Organization (ILO) conducted workshops and training courses, in particular through its International Training Centre in Turin, Italy, and issued various publications to promote and provide information on international human rights standards in the workplace, with a focus on gender equality. The target audiences included trade unionists, workers, employers, government officials and legal practitioners, as well as those involved in the conception and implementation of development policies and projects.

19. Other educational priorities of the organization are the elimination of child labour; the sensitization of the business community through, inter alia, participation in the Secretary-General's Global Compact initiative; and the dissemination of information on HIV/AIDS and its impact in the world of work and on indigenous and migrant issues.

(d) Office of the United Nations High Commissioner for Refugees

20. The Office of the United Nations High Commissioner for Refugees (UNHCR) undertook human rights education activities concerning refugee issues and developed training tools. Together with the Save the Children Alliance, the United Nations Children's Fund (UNICEF) and OHCHR, UNHCR launched the "Action for the Rights of Children" initiative to produce training material on children's rights.

21. In various countries, UNHCR undertook educational initiatives such as the "Peace Education Programme", aimed at training teachers and community educators, which included the development of training materials on human rights issues and conflict resolution methodologies; workshops and other promotional activities to sensitize local authorities to refugee law and internal displacement issues; and "tolerance" campaigns aimed at combating racism directed towards refugees and asylum-seekers. UNHCR has also developed a global strategy for the human rights training of its staff, with a view to better integrating human rights into its protection strategy.

(e) World Health Organization

22. In 2002, the World Health Organization (WHO) launched a publication series dealing with health and human rights, to support the integration of a human rights perspective into health policies and work. To sensitize young people, WHO produced a cartoon on the right to health, which is complemented by a resource pack for social workers, teachers and facilitators; in addition, in cooperation with the Joint United Nations Programme on HIV/AIDS (UNAIDS), WHO developed a cartoon on HIV/AIDS and human rights. Finally, WHO reported on an ongoing training programme for its own staff on health and human rights, focusing on issues affecting women and children.

(f) Committee on the Elimination of Discrimination against Women

23. The secretariat of the Committee reported on the work of the Committee in raising the importance of human rights education when examining States parties'

reports under the Convention on the Elimination of All Forms of Discrimination against Women. In a number of countries, the Committee commended related national efforts; welcomed the inclusion of human rights education, including women's rights as an integral part thereof, in school and university curricula; recommended such inclusion where it had not yet been done; and stressed the importance of training teachers accordingly and of eradicating gender-based stereotypes in textbooks. It also advised States parties to make human rights education compulsory for some professional groups, such as members of the armed forces, judges, the police and other law enforcement agencies, as well as health professionals.

2. Non-governmental organizations

24. Several non-governmental organizations informed OHCHR of their contribution to the implementation of General Assembly resolutions 57/206 and 57/212.

25. The Academic Council on the United Nations System shared the following comments by its members:

(a) It is important to strengthen national human rights institutions, which already deal with human rights education; other bodies, such as national committees for human rights education, could be created in those countries where no national human rights institutions exist;

(b) Given the limited resources, the focus of human rights education activities at the international level should be on supporting relevant initiatives in developing countries;

(c) A compilation and evaluation of initiatives undertaken within the Decade, including achievements and shortcomings, could be an important tool for all human rights education actors.

26. The Association algérienne d'alphabétisation (IQRAA) reported on its social education programme, which aims at contributing to social development through education for peace, democracy and tolerance. To that end, in 1995 the organization established a pedagogical commission responsible for the development of educational materials, which were distributed in literacy classes.

27. The Association culturelle d'auto-promotion éducative et sociale (ACAPES, Senegal) stressed the importance, in particular for the United Nations, of strengthening the capacities (technical, financial and institutional) of all actors to participate meaningfully in the process of elaborating, implementing, monitoring and evaluating activities within a national plan for human rights education. ACAPES has developed a training module on human rights, tolerance and conflict management which has been used to train trainers from Niger, Guinea, Togo, Ghana, Sierra Leone and Senegal. ACAPES has also elaborated a human rights curriculum which was used in Senegalese schools, reaching about 8,000 students.

28. The Rural Institute of Medical Sciences, India underlined that resolutions and commitments made at the international level need to be given practical implementation, and that information on those commitments as well as on human rights should be widely disseminated through the media. Particular attention should be paid to children who very often have no access to education.

29. The World Blind Union focused on the importance of literacy for blind and visually impaired persons and the need to make information accessible in Braille and other related alternative print formats. It stressed that the United Nations Literacy Decade (2003-2012) offered an opportunity to implement activities designed to achieve that objective.

30. The World Organization against Torture reported on its "Nigeria International Human Rights Advocacy Project", implemented in partnership with the Centre for Law Enforcement Education, which aimed at building the capacities of Nigeria's civil society in protecting human rights by training human rights NGOs in international human rights law, stressing its relevance to the national human rights situation, as well as in monitoring the Government's progress in this area.

C. Components four and five: strengthening national and local programmes and capacities for human rights education

31. The Plan of Action for the Decade, as well as Commission on Human Rights and General Assembly resolutions, provide for the establishment, upon the initiative of Governments or other relevant institutions, of national focal points or committees for human rights education, which should include a broad coalition of governmental and non-governmental actors and be responsible for developing and implementing a national plan of action for human rights education. This plan should constitute an integral part of the national development plan and be complementary to other relevant national plans of action already defined (overall human rights plans or those relating to women, children, minorities, indigenous peoples, etc.). Related guidelines (A/52/469/Add.1 and Add.1/Corr.1) were sent by the United Nations High Commissioner for Human Rights and the Director-General of UNESCO to all heads of Government in September 1998.

32. Governments have informed OHCHR of their related activities during the reporting period, as follows:

(a) In **Argentina**, the Federal Law on Education (1993) provides a legislative framework for human rights education in schools. Specific measures have been taken to combat discrimination in schools — for instance, addressing access to education in rural areas and access for children with special needs, as well as introducing multilingualism and the teaching of indigenous people's languages and cultures to promote mutual understanding among different cultures. The Ministry of Education also promoted the training of 106 provincial trainers in ethics and citizenship education, who then trained teachers in local schools. Other initiatives in this area included the development of classroom materials; the proclamation, within the school calendar, of 19 April as the "Day of Living Together in Cultural Diversity" and the development of a number of related activities in schools, throughout the country; the establishment, in cooperation with UNICEF, UNESCO and the Organization of Ibero-American States for Education, Science and Culture, of the programme "Learning to Live Together", with a focus on conflict resolution, peace and coexistence in diversity. In addition, the Ministry of Education has devoted special attention to eradicating gender-based stereotypes and to reproductive rights and sexual health. Finally, work has been undertaken to introduce in various schools the "School System of Coexistence", i.e. democratic

principles, norms and practices governing the relationship among members of each educational establishment;

(b) In **Australia**, the National Committee on Human Rights Education, a cooperative venture of relevant governmental and non-governmental agencies as well as the business and community sectors, is the focal point for the Decade and is supported financially by the Government. In addition to the National Committee, state committees on human rights education have been established in most Australian states and territories. In August 2002, the National Committee organized a National Strategic Conference on Human Rights Education, which involved many sectors and produced recommendations for a coordinated national strategy. The Committee also designed the "Citizenship of Humanity" project, which aims at sensitizing primary school students to the rights and values contained in the Universal Declaration of Human Rights. Human rights education is also a main focus of the work of the Human Rights and Equal Opportunity Commission, the Australian national human rights institution, which in 2001-2002 developed a human rights education programme for teachers of upper primary and secondary schools. The programme is composed of a series of cross-curricular (history, legal studies, religious studies, etc.) modules and other teaching materials (videos, worksheets, etc.). In addition, the Commission developed a specific portal on its web site to help teachers and other partners in their related efforts. Since 1999, the Commission has also run a programme which brings together thousands of secondary school students and their teachers for a one-day workshop on human rights and responsibilities, with the goal of preventing discriminatory behaviour; supporting materials are distributed during the seminars. Finally, the Commission has developed awareness-raising activities in private companies to counteract sex- and race-related harassment. NGOs are involved or consulted in most of these activities. The Federal Government has also supported a series of educational programmes on democracy, multiculturalism and prevention of racism, targeting schools, higher education and adult community education. It has contributed to the promotion of human rights education in Asia by supporting training for personnel involved in the administration of justice and by strengthening legal institutions and providing treaty-reporting training in China, Viet Nam and Indonesia, as well as by providing significant funding to the Asia-Pacific Forum of National Human Rights Institutions;

(c) The Government of **Belarus** reported on a series of educational initiatives aimed at fostering mutual understanding, tolerance and civic responsibility among its citizens. In 1995, the Government established the National Plan of Action for the Protection of Children's Rights, which included the introduction of a special 10-hour course on children's rights at all school levels, as well as in teacher training institutes. In 1998, a course on human rights was included in all education establishments. In 1999, the Government ratified the National Plan for the Development of Human Rights Education (1999-2004), which outlines the contents of the human rights course, i.e. human rights, the rights of the child and humanitarian law. Specific university courses, in particular for law and pedagogy faculties, were introduced and related materials were prepared and widely disseminated. In 2000, the Government also organized a competition to reward the most original contribution to human rights education;

(d) **Chile** highlighted the integration of human rights as a cross-curricular topic in the basic and middle education system, in particular in social sciences and

history, as well as the pilot project "Exploring international humanitarian law", developed in 2002 in 32 upper secondary schools and supported by the International Committee of the Red Cross. A specific focus of other educational activities has been the creation of a positive school climate through the development of activities designed to promote the peaceful coexistence of all actors, including training teachers in conflict resolution methodologies and involving parents;

(e) In **Cuba**, primary school curriculum includes "values education", aiming at promoting peace and respect for others and for nature; a civic education subject is taught in secondary schools. Specific related programmes include television programmes on various themes to stimulate analysis and debates on human rights. A major achievement of the educational system, according to the Government, has been the full eradication in the country of any race- or gender-based discrimination. The Government also stressed that training in national and international law relating to human rights is included in the general training programmes of law enforcement and judiciary academies. Civil society's active role in human rights education is exemplified by the work of the National Union of Jurists, which in cooperation with relevant ministries, the Parliament or judicial institutions, regularly organizes seminars and debates for professionals working in the administration of justice, with the participation of academics from Latin American countries;

(f) The Government of **Egypt** reported on the inclusion of human rights education in school curricula and/or school activities. Economic rights as well as women's rights are taught in all grades while legal and health rights are addressed in the second and the fourth grades. International humanitarian law issues, the right to practice religious beliefs and rites and the protection of cultural assets are also taught in school;

(g) The Government of **Germany** stressed the importance of human rights education in combating racism and xenophobic attitudes. Among the activities undertaken at the level of the Länder, which are primarily responsible for schools, it mentioned the inclusion of intercultural education in school curricula and the incorporation of the contents of the Convention on the Rights of the Child in school programmes and textbooks, as well as the adoption, by the Standing Conference of Ministers of Education and Cultural Affairs of the Länder, of a revised recommendation that made human rights education a priority in all Land constitutions and laws on education. The Federal Ministry for Education and Research has launched a series of anti-discrimination and anti-violence programmes at all levels of the school system, including pilot research, evaluation projects and the development of multimedia tools. The Government mentioned three specific educational programmes. The XENOS programme has been designed especially for the labour market; it targets companies, trade unions, firms and other institutions and supports projects in the areas of conflict management and intercultural training. The ENTIMON programme, which focuses on youth, aims at combating violence and right-wing extremism and supports local activities, which have a great impact through media coverage. The CIVITAS programme supports similar projects in the five eastern Länder;

(h) The Government of **Greece** reported that the Greek National Commission for Human Rights has undertaken a series of initiatives to promote human rights education at the university level, with the aim of establishing specific courses on human rights. Also, in 2001/02 the Commission promoted a research study on

national mass media and the promotion of stereotypes and discriminatory attitudes, held consultations with the Ministry of Public Order and the National School of Public Administration concerning the establishment of human rights education programmes for policemen and civil servants, and undertook the translation of related OHCHR materials;

(i) The Government of **Mexico** reported on a series of initiatives, including the establishment, in 2001, of a working group on human rights education involving governmental and non-governmental representatives in order to strengthen human rights education nationally; the request, in August 2002, by the President of Mexico to the Secretary of Public Education to set up a national programme on human rights education; and the signing, also in 2002, of an agreement between the Government and UNESCO to implement a series of human rights educational activities in collaboration with two universities;

(j) The Government of **Morocco** provided an update on the implementation of its national human rights education action plan, which focuses on the school system and includes the revision of curricula and textbooks, the production of materials and the training of teachers and education personnel, in particular those responsible for training colleagues. The plan (1995-2004) is currently in final, dissemination phase, which aims at institutionalizing programmes and materials tested previously. In 2003 the Ministry of Human Rights has also been focusing on human rights education in prisons and for police officials (in cooperation with Amnesty International/Morocco) and on non-formal awareness programmes for NGOs and political parties;

(k) In the **United Kingdom of Great Britain and Northern Ireland** the Department for Education and Skills has introduced citizenship education into the national curriculum for England; it was first introduced in primary school teaching in 2000 and then became a statutory national curriculum subject in secondary schools in 2002. All schools have received guidelines on how to implement the curriculum; more information is available online at the address: www.dfes.gov.uk/citizenship;

(l) The Ministry of Education of the **Syrian Arab Republic** reported on work undertaken towards the integration of international humanitarian law into academic curricula. Educational activities were also undertaken to foster religious tolerance in the formal education system.

D. Component six: coordinated development of materials for human rights education

33. OHCHR is making available information about human rights education and training materials developed by all actors under the Decade through its Database on Human Rights Education and Training (see section II.B.1 above). Information on the OHCHR contribution to this component is available in section III.A below.

E. Component eight: global dissemination of the Universal Declaration of Human Rights

34. On 10 December 1998, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, OHCHR launched a new page on its web site.

35. In 2003, OHCHR has continued to maintain and develop the web page, which comprises the texts of more than 320 national and local language versions of the Declaration; the section can be accessed at http://www.unhchr.ch/udhr/index.htm. Recently, OHCHR has revised some language versions in accordance with comments received by online visitors and reviewed by relevant partners. In addition, OHCHR maintains the page of the web section that features a list of more than 500 items on the Declaration, including print and multimedia material, as received by OHCHR since 1995.

III. Public information activities of the Office of the United Nations High Commissioner for Human Rights

A. Publications programme

36. The goal of the OHCHR publications programme is to raise awareness of human rights and fundamental freedoms and to publicize ways of promoting and protecting them at the international level. Another aim is to encourage debate on human rights issues under discussion in United Nations bodies. Since the publication of the report of the Secretary-General to the Commission on Human Rights (E/CN.4/2003/99), the demand for OHCHR publications has increased considerably. During the reporting period, the Office has distributed more than 74,000 copies of human rights publications, in addition to the 1,600 copies of each publication that are regularly distributed by the Distribution Section of the United Nations Office at Geneva. OHCHR has also increased the number of publications available on its web site.

37. **Fact Sheets**. The Fact Sheet Series consists of booklets that deal with selected human rights issues and explain the structure and procedures of United Nations human rights bodies and mechanisms. The goal is to help readers understand basic human rights and the international machinery that has been established to promote and protect them. All Fact Sheets are available on the OHCHR web site, thereby contributing to their dissemination, a reduction in print runs and a rationalization of costs. In the reporting period, two Fact Sheets were revised: *Combating Torture* (No. 4 in the Series) was published in Chinese and Russian, and *Complaint Procedures* (No. 7) was issued in Arabic, Chinese and Russian. Translations into French and Spanish are currently being prepared for both revisions. Furthermore, the Arabic translation of *The Rights of Migrant Workers* (No. 24) was posted on the OHCHR web site and will shortly become available in hard copy.

38. **Training and educational material**. The Professional Training Series consists of handbooks and manuals intended to increase awareness of international standards and is directed at target audiences selected for their ability to influence the human rights situation at the national level. During the period under review, *Human Rights*

and Law Enforcement: A Trainer's Guide on Human Rights for the Police (No. 5) was published in English and is currently being translated into all official languages.

39. In the context of the Series on the United Nations Decade for Human Rights Education, a revised version of *ABC: Teaching Human Rights — Practical Activities for Primary and Secondary Schools* (No. 4) has been completed and is available in English on the OHCHR web site at http://www.unhchr.ch/html/menu6/2/abc_text.pdf; it will also printed and translated into the other official languages of the United Nations.

40. **Special issue papers**. Special issue papers explore selected issues in greater depth. Several language versions of special issue papers were published in the period under review: *Human Rights and Disability: The Current Use and Future Potential of United Nations Human Rights Instruments in the Context of Disability* (French and Spanish; translations into Arabic, Chinese and Russian are not foreseen owing to lack of funds); *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (Arabic, Chinese and Russian); and *Abolishing Slavery and its Contemporary Forms* (Arabic, Chinese and French; translations into Russian and Spanish are in preparation).

41. **Reference material**. OHCHR reference publications give researchers and human rights law practitioners access to key human rights instruments and other essential information. In this regard, a revised version of the OHCHR flagship publication, *Human Rights: A Compilation of International Instruments, vol. I — Universal Instruments*, was published in English; translations into the other official languages are under way. In addition, volume 3 of *Selected Decisions of the Human Rights Committee under the Optional Protocol* was issued in Russian and will shortly also be published in French and Spanish (it will not be issued in Arabic and Chinese owing to lack of funds).

42. **Promotional material**. The purpose of promotional material is to inform the general public about United Nations work in the field of human rights. It provides answers to the most frequently asked questions about the United Nations human rights programme as well as information on how to use the system to address human rights violations. In this context, *OHCHR — The Office of the United Nations High Commissioner for Human Rights*, an introduction to the work of the Office, was published in French and Spanish during the review period and is currently being translated into Arabic, Chinese and Russian.

B. Use of electronic media

43. Since multilingual development is fundamental to the promotion of human rights, OHCHR is currently working towards making relevant information available in the six official languages of the United Nations. The OHCHR web site is available in English, French and Spanish, and there are direct links to Arabic, Chinese and Russian full-text documents stored in the United Nations Official Document System. The test stage of a project that aims to make the OHCHR web site available in these three languages has been completed.

44. The Office is also committed to making the contents of its web site available to all, including those with disabilities. In this connection, OHCHR has designed several web pages in accordance with international accessibility recommendations.

C. External relations programme

45. **Briefings**. OHCHR regularly organizes briefings for various audiences. It also provides lecturers for briefings organized by the Department of Public Information. A total of 38 such briefings were given by OHCHR staff during the reporting period.

46. **Exhibitions and human rights observances**. Since the report to the Commission on Human Rights, an exhibition of artwork by victims of torture was organized at the Palais Wilson in connection with the International Day in Support of Victims of Torture. In 2002, OHCHR also observed World AIDS Day and in 2003 the United Nations Day for Women's Rights and International Peace, the International Day for the Elimination of Racial Discrimination and the International Day in Support of Victims of Torture. In 2002, Human Rights Day was devoted to the protection of civilians in armed conflicts. On that day, OHCHR organized an inter-agency panel on this subject at Palais Wilson.

47. **Internship programme**. During the reporting period, OHCHR, which participates in the United Nations internship programme, offered internships to 42 graduate students to enable them to gain first-hand knowledge of United Nations action in the field of human rights.

48. **Technical cooperation activities with a public information element**. An account of the training courses, seminars and workshops organized by OHCHR is given in the report of the Secretary-General to the Commission on Human Rights on advisory services and technical cooperation in the field of human rights (E/CN.4/2003/112).

49. **Media liaison**. The OHCHR staff responsible for media liaison brief the international press regularly on the activities of the Office and on the human rights programme in general. They are also responsible for drafting or finalizing press statements on behalf of the Office or the High Commissioner; organizing interviews and media appearances by the High Commissioner; assisting the special procedures mechanisms and the treaty bodies with their media liaison needs; contributing to the formulation and implementation of issue- or region-specific information strategies and campaigns; and the drafting and placing of opinion pieces and other articles in major international publications.

IV. Public information activities of the Department of Public Information

50. From December 2002 to June 2003 the Department of Public Information of the Secretariat continued to initiate and coordinate activities within the framework of the World Public Information Campaign on Human Rights, ongoing since 1988, and the United Nations Decade for Human Rights Education, 1995-2004.

51. In 2003, the Department's activities were part of an overall communications strategy to promote the work of OHCHR, of the human rights treaty bodies and of the special rapporteurs/representatives. For the first time, a press kit to publicize the work of the Commission on Human Rights was produced, in close collaboration with OHCHR. As in the past, Human Rights Day continued to be an important element in the Department's efforts to promote the human rights work of the United Nations and to raise awareness of human rights in general. The Department's

activities for the current year are also part of an overall strategy to promote the theme for Human Rights Day 2003, "Know your human rights".

52. The Department's coverage of United Nations human rights activities, as well as worldwide distribution of relevant human rights information materials, was ensured through a multimedia approach. Information materials were produced in the six official languages of the United Nations and disseminated worldwide, including through the network of the United Nations information centres, services and offices based in more than 70 countries. Many of the materials were adapted into local languages by those offices.

53. The "UN Works" programme expands public understanding of the role human rights and development play in the experience of real people around the world. Via original television programming, educational and media outreach, a multi-language web site and other communications products and activities, "UN Works" brings the objectives of the United Nations to a global audience. In addition, a media partnership with Discovery Communications Inc. has produced public service announcements, web site content, and media and educational outreach for international distribution on human rights, including women's and children's issues. The "UN Works" web site expands on these projects with links to the OHCHR web site and United Nations partners in the field.

54. The Department continued to provide regular coverage of human rights-related stories, including the work of the United Nations human rights bodies as well as the activities of and statements by the High Commissioner for Human Rights (through the United Nations News Service on the web (www.un.org/news) and its print version, the Daily Highlights). News stories are sent by e-mail to thousands of journalists and other subscribers as they are posted daily.

55. In February 2003, the Department produced and widely disseminated a press kit for the fifty-ninth session of the Commission on Human Rights, in English and French, in close collaboration with OHCHR. The electronic version was disseminated to United Nations information centres, services and offices, as well as to UNDP field offices, in English and French, to facilitate promotion of the Commission's work in the field.

56. Other print materials produced by the Department during the reporting period included a background article entitled "The role of the special rapporteurs, special representatives and independent experts of the special procedures of the Commission on Human Rights" and a fact sheet entitled "Know your human rights: International Day in Support of Victims of Torture". These materials, which were prepared in close collaboration with OHCHR, were widely disseminated to United Nations information centres, services and offices, UNDP field offices and journalists at Headquarters.

57. The Department's publication *Africa Recovery* (and its French edition, *Afrique Relance*) ran a number of articles on human rights issues in Africa. The magazine continued to give prominent coverage to the New Partnership for Africa's Development, which places a high priority on human rights.

58. The magazine *UN Chronicle* presented, in the six official languages, a number of articles devoted to human rights, including an article entitled "Their dignity will be mine, as it is yours", by the United Nations High Commissioner for Human Rights.

59. The Department's television, photo and radio activities relating to human rights included regular coverage of statements made to the General Assembly and other intergovernmental bodies by the Secretary-General and the High Commissioner. UNTV and UNPHOTO also provided coverage of press conferences, including those of the High Commissioner, as well as special events organized at Headquarters on the subject of human rights.

60. UN Radio news reaches tens of millions of listeners (through its partner networks in all regions of the world). Throughout the reporting period, UN Radio continued to cover the broad range of issues pertaining to human rights in its daily news bulletins, current affairs magazines, regional magazines and feature programmes. All news coverage activities were featured on the daily broadcasts in Arabic, Chinese, English, French, Portuguese, Russian and Spanish and were posted on UN Radio's web pages. The programmes were also distributed through arrangements with partner stations and networks worldwide via satellite, electronic line transfer, short wave or telephone feed.

61. In addition to news items, UN Radio produced a variety of magazine/feature programmes on specific human rights issues. The programmes were produced for regional and worldwide audiences in 14 languages: Arabic, Bangla, Chinese, English, French, French-Creole, Hindi, Indonesian, Kiswahili, Portuguese, Russian, Spanish, Turkish and Urdu.

62. The Dag Hammarskjöld Library's Global Teaching and Learning Project is working on a number of human rights projects, including a comprehensive curriculum on different types of discrimination for middle and secondary schools; a new web site in partnership with the International Labour Organization on the Declaration on Fundamental Principles and Rights at Work; a web site and print publication that will serve as a comprehensive guide to the Universal Declaration of Human Rights and includes profiles of human rights activists and lesson plans on all 30 articles; a World Summit Event for Schools that will engage schools around the world in information and communication technology activities and human rights in preparation for the World Summit on the Information Society; a poster contest that includes a theme on information and communication technology and human rights; and a WebQuest on child soldiers that includes an exploration of the Convention on the Rights of the Child and the Optional Protocol to the Convention on Children and Armed Conflict.

63. The United Nations launched the International Women's Day web site for 2003 in the six official languages (http://www.un.org/events/women/iwd/2003/). The site also has links on the Conferences and Events page to other events, such as World Press Freedom Day and International Day for the Elimination of Racial Discrimination. The page on "Human Rights" (http://www.un.org/events/ref42.htm) contains a number of links to human rights-related events.

64. Issues relating to the promotion and protection of human rights were highlighted throughout the reporting period at the weekly briefings for NGOs and at the annual NGO conferences organized by the Department at United Nations Headquarters. The Director of the OHCHR New York Office was a speaker at a special event on the situation of human rights in Côte d'Ivoire. At a briefing on peacekeeping, which was organized in observance of the International Day of United Nations Peacekeepers (29 May), panellists emphasized the key human rights component of peacekeeping operations.

65. During the reporting period, the Department organized 22 briefings on human rights, reaching a total audience of 943. The subject of human rights was also frequently addressed in the course of the guided tour of United Nations Headquarters, and was the subject of numerous queries and petitions.

66. The annual student conference on human rights organized by the Department in 2002 took the form of a webcast videoconference with students participating from Headquarters and from nine other locations in five countries. The theme for the conference was "Human rights and sustainable development: a better future for all". It was intended to link the issues discussed at the World Summit on Sustainable Development with the overarching Millennium Development Goals under the umbrella of human rights.

A. Activities of the United Nations Information Service at Geneva

67. The United Nations Information Service (UNIS) at Geneva bears a major responsibility for promoting human rights, given its proximity to OHCHR. UNIS provides information support to all aspects of the work of OHCHR, the Commission on Human Rights, the Subcommission on the Promotion and Protection of Human Rights and the sessions of the five treaty bodies that meet in Geneva. This includes issuing press releases on human rights matters and, in particular, providing press coverage in English and French of their meetings; providing radio and television coverage of those bodies; holding regular briefings by the UNIS Director and the OHCHR Media and Information Officer for the Geneva-based press; and organizing briefings for NGOs, university students and the public. Additionally, UNIS continues to mark international days declared by the General Assembly.

68. **Press conferences**. During the reporting period, UNIS organized 29 press conferences for OHCHR.

69. **Meetings coverage**. The Press Section issued a total of 479 press releases on human rights in English and French during the period under review.

70. **Television and radio**. UN Radio Geneva covered human rights activities and transmitted reports, interviews and audio material in various languages to UN Radio New York and directly to radio stations in various parts of the world.

71. UNTV Geneva news reports on human rights were distributed through major television news agencies to broadcasters throughout the world and provided directly to national stations. Radio and television coverage and distribution were most extensive during the fifty-ninth session of the Commission on Human Rights with daily radio coverage to New York and frequent live transmissions to national stations. Television coverage during this period was provided through the Eurovision network on its global transmissions as well as on feeds to specific regions. The coverage was used in a UNTV feature that was included in the special half-hour Place des Nations television magazine programmes, which focused on human rights. Coverage of the High Commissioner's mission to Africa was carried as well in features produced and broadcast by Switzerland's French television channel and by Réseau France Outremer in its programmes transmitted to Africa from Paris.

72. The High Commissioner recorded a number of video messages and statements for meetings and seminars in different parts of the world.

73. **Public relations**. In April 2003, UNIS Geneva organized a programme for a group of Palestinian journalists who were in Geneva for one week to participate in a training programme organized by the Department as part of the Special Information Programme on the Question of Palestine. This included one day of seminars at OHCHR.

74. During the fifty-ninth session of the Commission on Human Rights, UNIS acted as a moderator for 25 briefings, organized by OHCHR, for NGOs with human rights special rapporteurs and independent experts. It also organized 25 information programmes for groups (approximately 980 participants) from universities or other academic institutions. These groups specifically requested presentations from OHCHR staff.

75. UNIS distributed material for the observance of special days — including messages of the Secretary-General, media advisories, booklets and fact sheets — to the press, delegates, NGOs and the general public. The Press Section distributed human rights material to university students coming from all over the world for seminars organized by UNIS Geneva. UNIS has updated its booklet "*Questions and Answers: The United Nations in Geneva*" with a chapter on OHCHR.

76. The Annual Graduate Study Programme organized by UNIS was held in July 2003; over 90 students participated from over 40 countries. Students were required to submit a final paper at the end of the programme which was sent to the permanent missions in Geneva, United Nations information centres and UNDP offices worldwide and to all participating speakers.

77. The Visitors' Service covers human rights as an integral part of its guided tours. Guides are frequently asked questions on human rights. During the annual training seminar, guides are taught the fundamentals of human rights work, which is highlighted as a major aspect of Geneva's substantive activities. Guides explain to visitors the different aspects of human rights work, the special procedures mechanisms, the work of the treaty bodies and the work of UNHCR. This year, 10 briefings on human rights have been organized in conjunction with a guided tour. Souvenirs promoting human rights are on sale in the visitors lobby.

B. Activities of other United Nations information centres, services and offices

78. Virtually, all United Nations information centres, services and offices undertook activities to promote the implementation of General Assembly resolutions on human rights education. Eighteen centres, services and offices translated into local languages or reprinted United Nations documents and printed materials on human rights issued by the Department. Several centres translated the Universal Declaration of Human Rights into local languages. UNIC Rome also translated the press kit on the Commission on Human Rights into Italian.

79. More than 50 centres, services and offices undertook media outreach on various human rights issues. Op-eds by the United Nations High Commissioner for Human Rights were translated into local languages by nine information services worldwide and placed in local and national newspapers or radio stations. A press conference was organized by UNIC Islamabad for the High Commissioner, and interviews with the BBC and Pakistan TV were also organized. UNIC Bogotá

organized a press conference for the representative of the High Commissioner on the human rights situation in Colombia. UNIC Kathmandu undertook media outreach and distributed information materials to the press for Universal Children's Day (20 November). Other press briefings were organized by seven information centres and UNO Yerevan. UNIC Rio de Janeiro assisted the *Jornal do Brasil* — one of the four most important dailies in the country — in the production of a special eight-page supplement on the human rights situation in Brazil and abroad.

80. An example of educational outreach activities was a Teachers Forum organized by UNIS Vienna for Hungarian secondary teachers, which specifically addressed the issue of teaching about human rights. In addition, UNIS Vienna's 2003 Student Forum (21-24 May) focused on the role of the Organization in international affairs. A briefing was organized on 7 April 2003 with the President of the fifty-seventh session of the General Assembly on a manual on human rights education developed by the Government of Austria. Over 30,000 visitors were guided through the Vienna International Centre in the reporting period; the guided tours included a short segment on United Nations human rights activities.

81. Other activities included placing the Secretary-General's message for the International Day for Tolerance in local newspapers, on radio stations and on TV; organizing round tables and seminars on human rights issues; giving radio and TV interviews on the subject of tolerance; arranging the telecast of public service announcements; participating in radio programmes explaining the importance of Human Rights Day; and producing PowerPoint presentations, a multimedia version of the Universal Declaration of Human Rights and radio and television programmes on various human rights issues.

V. Conclusions and recommendations

82. **The report of the United Nations High Commissioner for Human Rights on the mid-term global evaluation of the progress made towards the achievement of the objectives of the Decade (A/55/360) includes a series of recommendations for action during the Decade's remaining years.**

83. **It highlights the need for Governments to fulfil the commitments made at the international level to develop national strategies for human rights education that are comprehensive and participatory. Priority should be given to sustainable approaches, i.e. training of trainers and the integration of human rights into all relevant training and educational curricula. Given the potential and capacities in this field, national strategies should be developed, implemented and evaluated through partnerships within and among actors, both governmental and non-governmental, working in a spirit of mutual respect.**

84. **Regional and international organizations and institutions should continue to support national initiatives by facilitating the sharing of information and materials and by creating and strengthening networks, the training of trainers and related activities. In this regard, the United Nations Decade for Human Rights Education, 1995-2004 represents a major opportunity and mobilization mechanism for focusing the educational efforts of the international community.**

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Operational activities for development: economic and technical cooperation among developing countries

State of South-South cooperation

Report of the Secretary-General**

Summary

The present report, covering the biennium 2001-2002, focuses in particular on cooperation in regard to monetary, financial, investment and trade arrangements, especially in the context of efforts towards regional and subregional integration in the South. It notes considerable progress on many fronts, as well as negative trends that in many cases reflect the volatility of international affairs during the biennium. Noted in the report is the growing participation by developing countries in North-South and South-South economic arrangements; however, such participation remains uneven. The report also briefly highlights the emergence of civil society and the private sector as significant players in South-South initiatives. The report concludes with recommendations aimed at moving South-South cooperation forward.

* A/58/150.

** The submission of the report was delayed in order to allow sufficient time for the clearing departments to review and approve it.

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Abbreviations

ANCOM	Andean Common Market
ASEAN	Association of Southeast Asian Nations
CACM	Central American Common Market
CARICOM	Caribbean Community
CEMAC	Economic and Monetary Community of Central African States
CEPGL	Economic Community of the Great Lakes Countries
COMESA	Common Market for Eastern and Southern Africa
ECCAS	Economic Community of Central African States
ECO	Environment Congress for Asia and the Pacific
ECOWAS	Economic Community of West African States
GCC	Gulf Cooperation Council
IMF	International Monetary Fund
LAIA	Latin American Integration Association
MERCOSUR	Southern Cone Common Market
MSG	Melanesian Spearhead Group
MRU	Mano River Union
OECS	Organization of Eastern Caribbean States
SADC	Southern African Development Community
SAARC	South Asian Association for Regional Cooperation
UEMOA	West African Economic and Monetary Union
UMA	Arab Maghreb Union
UNCTAD	United Nations Conference on Trade and Development

I. Introduction

1. The present report is submitted pursuant to resolution 56/202 of 21 December 2001, in which the General Assembly requested the Secretary-General to submit to it at its fifty-eighth session a report on the current state of South-South cooperation. While providing historical background where necessary, the report covers developments in the biennium 2001-2002. As requested by the Assembly, it focuses in particular on the state of cooperation among developing countries in terms of monetary, financial, investment and trade arrangements and presents an overview of key evolving trends and issues. The report concludes with a number of observations relevant to the growing importance of South-South cooperation.

2. The biennium 2001-2002 offers a stark contrast to the decade that preceded it because of the bursting of the information technology bubble and the events of 11 September 2001. Combined, they resulted in a rapid deceleration of the global economy that affected all developing countries. The uncertainties relating to international security that were suddenly manifested also had a broad depressing impact on the world economy. Trade, investment and development all suffered. The merchandise exports of developing countries decreased by 6 per cent, a somewhat steeper decline than the world average in 2001, owing to the marked contraction of shipments of information technology products from the East Asian traders and those of oil-exporting developing countries.

3. Information for the present report was collected from the following sources: the proceedings of the General Assembly High-level Committee on the Review of Technical Cooperation among Developing Countries, which held its thirteenth session from 27 to 30 May 2003 in New York; responses from Governments and United Nations agencies and programmes to questionnaires circulated by the Special Unit for Technical Cooperation among Developing Countries of the United Nations Development Programme (UNDP); documentation and written inputs from the United Nations development system, particularly the secretariat of the United Nations Conference on Trade and Development (UNCTAD). Information on the private sector and civil society organizations was collected by key word searches on the Internet.

4. Four conferences during the biennium were of significance in terms of South-South cooperation, in that each one reviewed the current situation and pointed the way ahead. The Fourth World Trade Organization Ministerial Conference, held in Doha, in November 2001, launched a work programme that places the needs of developing countries at the heart of the multilateral trade negotiations. The outcome of these negotiations could affect the flexibility of developing countries engaging in South-South and North-South regional trade agreements.

5. The International Conference on Financing for Development, held in Monterrey, Mexico in March 2002, specifically encouraged South-South cooperation, including through triangular cooperation, to facilitate exchange of views on successful strategies, practices and experience and replication of projects. Further, it urged the strengthening of South-South cooperation in the delivery of assistance.[1]

6. The World Summit on Sustainable Development, held in Johannesburg, South Africa, in August 2002, adopted a Declaration and an Implementation Plan that

specifically endorsed South-South cooperation and strong regional and subregional action.[2]

7. The Third United Nations Conference on the Least Developed Countries, held in Brussels in May 2001, emphasized the importance of South-South cooperation in capacity-building and setting best practices, particularly in the areas of health, education, training, environment, science and technology, trade, investment and transit transport cooperation.

II. State of South-South cooperation

A. Global, regional and subregional arrangements

8. At the global level, the Group of 77 and China and the Movement of Non-Aligned Countries continued to serve as the broadest mechanisms for consultation and policy coordination among developing countries. As noted at the South Summit, held in Havana in 2001, the positions adopted over the years by the Group of 77 and the Non-aligned Movement constitute a comprehensive philosophy and framework for action for developing countries, and United Nations conferences, particularly the Millennium Summit of 2000, have guided recent North-South and South-South initiatives at the global and regional levels.

9. In October 2002, the Group of 77 convened, for the first time, a conference on South-South cooperation in science and technology. Meeting in Dubai, high-level delegations from 60 countries and some 150 scientists from developing countries discussed how to intensify cooperation. The official delegations adopted the Declaration on the Promotion of Science and Technology in the South, while a Declaration on Science and Technology for Peace and Development emerged from the concurrent meeting of the scientists. The declaration adopted by the scientists urged an increase in funding for education, science and technology to at least 2.5 per cent of the gross national product of developing countries by the year 2010.

10. Consistent with earlier reports of the Secretary-General, most South-South and North-South activities occurred within the framework of regional and subregional arrangements. Regional groups were oriented predominantly towards the promotion of North-South and South-South flows of trade among developing countries. By the end of 2002, the World Trade Organization had recognized nearly 250 regional and subregional free-trade arrangements intended to promote economic and social development.

11. In Africa, the largest integration effort in terms of the number of countries and long-term scope is the 52-member African Union, established in 2002 as the successor to the Organization of African Unity. It envisages the eventual formation of a continental common market, with a number of shared political institutions, including a Pan-African Parliament as the highest legislative and representative organ of the African Union and a Court of Justice as its highest judicial authority. For the present, it has a summit-level Assembly that meets at least once a year, a 15-member Peace and Security Council, an Executive Council of Foreign Ministers, a Permanent Representatives Committee at the ambassador level, and a secretariat. Technical committees will deal with a wide range of economic, environmental, financial, monetary and social matters.

12. A significant initiative adopted by the last summit of the Organization of African Unity, held in Zambia in 2001 and launched at the first summit of the African Union, held in South Africa in 2002, was the New Partnership for Africa's Development (NEPAD). According to its founding document, the objective of NEPAD is to consolidate democracy and sound economic management on the continent. In adopting NEPAD, African leaders made a pledge to promote peace and stability, democracy, sound economic management and people-centred development, and to hold one another accountable through a peer-review process. The partnership is directed by the Heads of State Implementation Committee, supported by the Steering Committee and Secretariat, which have been charged with developing and guiding the implementation of a strategic plan to ensure domestic support in African countries and facilitate public-private-sector partnership and international support.[3]

13. One of the successful subregional groups in Africa to date has been the 14-member Southern African Development Community, with South Africa, the continent's largest economy, as its anchor. The 15-member Economic Community of West African States (ECOWAS), including the continent's most populous country, Nigeria, also has an active history, but the subregion has been plagued by repeated conflicts and progress has been difficult. The 20-member Common Market for Eastern and Southern Africa (COMESA) stands out as a relative success story among African groups, having achieved a free trade area in 2000 with a single common external tariff. In June 2003, COMESA took a large step towards creating common institutions by establishing a court of justice in the Sudan.

14. In Asia, the 10-member Association of Southeast Asian Nations (ASEAN) has continued to be a leader in South-South cooperation. Under a framework agreement signed in 2000, ASEAN members pursued increased digital readiness in the region. The pilot phase of an agriculture Internet hub was launched in February 2002 in Indonesia and will eventually provide all critical trade services in agribusiness to over 200 million farmers and their dependants in the region. The new e-hub has the support of both the private and public sectors within and outside the region: private-sector participants include United States of America-based Accenture and Microsoft, which is providing the software infrastructure for the project. Under another framework agreement, in April 2002, ASEAN members signed a mutual recognition agreement setting common technical and product safety standards for electronic and electrical equipment, a sector that accounts for almost 40 per cent of intra-ASEAN trade.

15. In the biennium 2001-2002, ASEAN also continued to strengthen cooperation with other major countries in the region; India became a summit-level dialogue partner in 2001. With other similar partners, China, Japan and the Republic of Korea, regular economic reviews and enhanced policy dialogues continued.[4]

16. Another subregional group in Asia with significant achievements in the period under review is the seven-nation South Asian Association for Regional Cooperation (SAARC). While the advance of SAARC has been slowed by political problems, work has gone ahead through apex bodies for chambers of commerce and industry and law and, since 2001, for accountancy. The SAARC Committee on Economic Cooperation has assumed a central position in the cooperative process and has supported the creation of a number of subregional networks, including one for economic research. In 2001, SAARC adopted a common position prior to the Doha ministerial meeting of the World Trade Organization, a subregional trade fair was

organized in Pakistan and the first SAARC Conference on Clinical Oncology met in Sri Lanka. In 2002, the eleventh SAARC summit convened in Nepal, at which two subregional conventions were signed, namely, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia. Although trade liberalization has been slow to get off the ground, it is making steady progress, and SAARC plans call for the creation of a South Asian Free Trade Area by 2010.

17. Three members of SAARC also belong to the six-member Bangkok Agreement for a preferential trading area. The Bangkok Agreement became the most populous of the world's South-South arrangements when China joined it in 2001.

18. An interesting variant of subregional integration in Asia is microregional cooperation to develop contiguous territories of two or more developing countries. This allows participating countries to reap the economic benefits of cooperation while side-stepping political issues that might obstruct efforts of broader scope. An example is the Tumen River Area Development Programme, which covers an economically depressed area along the borders of China, the Democratic People's Republic of Korea and the Russian Federation.

19. In the Latin America and the Caribbean region, one of the most advanced of all South-South cooperation efforts at subregional integration among developing countries is the five-member Andean Community, with its joint parliament, common foreign policy, Council of Ministers and Court of Justice. In 2001, the new Common System on Intellectual Property Rights agreed by the Commission of the Andean Community came into effect. In June of that year, the Andean Presidents approved the Andean Cooperation Plan for the Control of Illegal Drugs and Related Offences and provisions to facilitate the free circulation of people among members of the group. In June, Andean Community foreign and Defence Ministers approved the Andean Charter for Peace and Security, which lays down the principles and commitments for the formulation of a Community policy on security in the subregion, establishment of a peace zone, regional efforts in the war against terrorism and the limitation of foreign defence spending, control of conventional weapons and transparency. In July 2002, at the second meeting of South American Heads of State, the Presidents of the Andean Community adopted the Andean Charter for the Promotion and Protection of Human Rights.[5]

20. Since 2000, the Andean Community and the Southern Cone Common Market (MERCOSUR), which already has a common external tariff, have been engaged in negotiations to establish a free trade area. In July 2001, they established a Mechanism for Political Dialogue and Coordination; in April 2002, the Ministers for Foreign Affairs of the Andean Community and MERCOSUR countries issued a joint communiqué on the economic, social and political priority their Governments attribute to harmonizing the integration processes of the Andean Community and the MERCOSUR and Chile in South America.[6]

21. A larger and older integration effort is the 12-member Latin American Integration Association (LAIA), the successor in 1980 to the Latin American Free Trade Association, which dated back to 1960. The aim of LAIA (ALIDA in Spanish) is the creation of a Latin American common market. Meanwhile, the push to create the much larger Free Trade Area of the Americas — to include every country in the

hemisphere, except Cuba — is continuing, with a target date of 2005 for finalization.

22. The 14-member Caribbean Community (CARICOM), the world's largest grouping of small island developing States, continues to seek the establishment of a common external tariff and common protective policy, harmonization of fiscal and taxation arrangements and coordination of economic policies and development planning. The 1973 Treaty of Chaguaramas was revised to integrate nine Protocols in 2001, and technical work has begun to include additional items on e-commerce, government procurement, trade in goods from free zones, free circulation of goods and the rights contingent on the free movement of persons.

B. South-South monetary and financial cooperation

23. At the global level, the Intergovernmental Group of Twenty-four on International Monetary Affairs and Development (Group of 24) continued its work aimed at strengthening cooperation among its member countries in their preparation for negotiations on monetary and financial issues within the framework of the International Monetary Fund (IMF), the World Bank and other bodies. Its meetings are open to all developing countries, and several non-members participate regularly. Its activities and communiqués are part of the normal activities at all meetings of the international financial institutions, especially the IMF International Monetary and Financial Committee and the Joint IMF/International Bank for Reconstruction and Development Committee.[7]

24. The UNCTAD secretariat has provided logistic and substantive support to the activities of the Group of 24 through a project of technical support in the form of studies and research papers on selected topics prepared by internationally renowned experts and UNCTAD staff. The group has held regular expert group meetings. The research results and policy proposals have been presented to the Group of 24 Ministers at their biannual meetings, which are held prior to the meetings of IMF and the World Bank in the spring and autumn. The subjects covered by the research activities and the expert group meetings in recent years include: capital account regimes in developing countries; regulation and taxation of international financial flows; the crisis of official development assistance; external debt and structural adjustment; debt relief and sovereign debt workouts; allocation and role of special drawing rights in a changing international financial environment; global financial system reform; conditionality of the international financial institutions; the link between exchange rate policies, globalization, and growth; lessons from exchange rate policies in Latin America and capital controls in East Asia; issues relating to organizational reform and governance of IMF and the World Bank; and competition and competition policies in emerging markets.

25. An important new element in South-South monetary and financial cooperation is the Heavily Indebted Poor Countries Ministerial Network, set up in 1999 by the countries eligible for debt relief under the Heavily Indebted Poor Countries Initiative. The Network has ensured cooperation and exchange of experiences among heavily indebted poor countries in connection with the process of obtaining debt relief under the Initiative and efforts of heavily indebted poor countries to attain the Millennium Development Goals with the support of the international community. There has been a regular exchange of information among senior

Network officials about macroeconomic policy and poverty, as well as on the prospects for debt relief and long-term debt sustainability. In addition, the Network has undertaken a comprehensive review of the poverty reduction strategy papers to be prepared as a condition for debt relief and has made proposals on the streamlining of IMF and World Bank conditionality. Efforts are under way to increase further the effectiveness of cooperation among the members of the Network, which has become acknowledged as a representative forum by international organizations.[8]

26. All regions of the developing world have witnessed increased efforts towards monetary and financial cooperation. Examples of trends in regional South-South monetary cooperation include: (a) ECOWAS; (b) the 22-member Arab Monetary Fund; (c) the 5-member Latin American Reserve Fund; (d) the 7-member Asian Clearing Union (ACU); and ASEAN.

27. West Africa has been the scene of considerable activity towards the overarching goal of creating a single monetary system for all 15 member States of ECOWAS. In April 2000, six countries — the Gambia, Ghana, Guinea, Liberia, Nigeria and Sierra Leone — agreed to create a new second common currency for the West African region, the West African Monetary Zone, by 2003. The six countries committed themselves to reducing central bank financing of budget deficits to 10 per cent of the previous year's government revenue, reducing budget deficits to 4 per cent of the gross domestic product (GDP) by 2003, creating a Convergence Council to help to coordinate macroeconomic policies and setting up a common central bank. The move is intended to be the first step in bringing the existing francophone member States of the West African Economic and Monetary Union, consisting of Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo into a wider monetary union that would include all 15 members of ECOWAS by 2004.

28. The Arab Monetary Fund, established by the League of Arab States in 1976, seeks to stabilize exchange rates, facilitate mutual convertibility among Arab currencies, coordinate national monetary policies, and promote investment flows and trade by easing payments arrangements and dealing with imbalances. In 1995, the Inter-Arab Rating Company was set up to promote local rating agencies in various Arab countries, with the eventual aim of moving to a single currency. In May 2002, the Arab Monetary Fund and the World Trade Organization signed a memorandum of understanding to provide technical assistance and capacity-building to enhance the participation of Arab countries in the multilateral trading system and trade negotiations.

29. The Latin American Reserve Fund, created in 1991 to replace the Andean Reserve Fund, has continued to help to correct payments imbalances with loans and loan guarantees; coordinate monetary, exchange, and financial policies of members; and promote trade liberalization and payments. The six members of the Latin American Reserve Fund are: Bolivia, Colombia, Costa Rica, Ecuador, Peru and Venezuela. According to the Andean Community web site, the total of $5.6 billion in intra-subregional exports in 2001 was 51 times greater than the total in 1970.

30. The Asian Clearing Union began operations in 1975 during a period of acute foreign exchange shortages for most of its member States (Bangladesh, India, the Islamic Republic of Iran, Myanmar, Nepal, Pakistan and Sri Lanka). Its arrangements have allowed Governments to side-step the need for hard currency in

clearing payments for regional trades. Initially, the Union had its own Asian Monetary Unit. When this proved cumbersome, it was replaced with the ACU dollar. Under this arrangement, the Union now clears some $7 billion in regional trades per year. At its most recent meeting (June 2003), Thailand was present as an observer, and there was discussion of inviting several other Asian countries to participate.

31. A meeting of ASEAN Finance Ministers, held in Yangon in April 2002, reviewed progress on the Chiang Mai Initiative on regional monetary cooperation, liberalization of the financial services sector and development of the capital market. The ministers agreed on a number of initiatives for 2002, including the launch of the third round of negotiations on liberalization of financial services.[9]

32. Since the attacks on the United States in September 2001, the long-standing international effort against money-laundering has assumed an important role in combating the financing of terrorism. The Security Council has mandated much stronger requirements for the monitoring of banking activity and surveillance of traditional money transfer mechanisms. This may necessitate a new area for South-South cooperation to counter those who engage in money-laundering, who often seek out economies without comprehensive regulatory mechanisms in place and try to exploit differences among national anti-money-laundering systems.

C. Investment and capital flows

33. Capital flows to developing countries have experienced a downward trend since the 1997 Asia financial crisis, with considerable volatility from month to month. Since 2000, the downward trend has been global. UNCTAD reports that total flows of foreign direct investment, which had surged from about $200 billion in the early 1990s to almost $1.4 trillion in 2000, collapsed by about 41 per cent in 2001 and by another one fifth in 2002, down to about $650 billion. Developing countries as a group received less than one third of total world investment flows in 2000, and most of it went to a few countries: just five countries received 70 per cent.

34. According to UNCTAD, foreign direct investment flows to Africa rose from $8 billion in 2000 to more than $19 billion in 2001, but about 80 per cent of the increase was accounted for by a deal in which London-listed Anglo-American PLC paid with its own shares to buy stock in South Africa-based De Beers. Most of the rest of the increase reflected the acquisition of a 35-per-cent stake in Maroc Telecom by a foreign investor. Neither deal implied a change in fundamentals. While investments for most African countries remained stagnant in 2001, these countries were not worse off than developing countries on average. Foreign direct investment flows to Asian developing countries registered a decrease from $142 billion in 2000 to $107 billion in 2001, reflecting a 62-per-cent decline in flows to Hong Kong SAR. South Asia and Central Asia had increased foreign direct investment flows in 2001, while South-east and North-east Asian flows stagnated. Mainland China regained its position from Hong Kong SAR, as the top magnet of foreign direct investment flows in the region and the world. India, Kazakhstan, Singapore and Turkey were top foreign direct investment recipients in their respective subregions.

35. Investment flows were predominantly North-South, but there were also South-South flows. In Africa, these flows in 2001 were at least in part occasioned by measures taken by the United States to support the growth of manufacturing in Africa through the 2000 African Growth and Opportunity Act and by the European

Union through the "Everything but Arms" initiative. The effects of the African Growth and Opportunity Act include investment flows from Malaysia to Senegal and South Africa and from South Africa to Swaziland, all in the garment industry.

36. In Asia, Singapore led the field of investors in other developing countries with a single $6-billion acquisition of a Hong Kong bank. The Republic of Korea continues to be a major investor in other developing countries: over two thirds of its foreign direct investment stock abroad is in other Asian countries. China is also widening its investing abroad, and not only in Asia: the top 12 Chinese (mostly State-owned) firms control over $30 billion in foreign assets and employ over 20,000 foreign nationals. The value of cross-border acquisitions by Indian firms doubled to over $2 billion in 2001. About two fifths of foreign direct investment in Asia is intraregional.

37. In Latin America, although probably irrelevant to South-South cooperation, the British Virgin Islands became the largest investor, with $8.3 billion in outflows in 2001. The Cayman Islands was second with $2.8 billion. There is significant intraregional foreign direct investment in MERCOSUR. In 2001, Mexico almost doubled its foreign direct investment inflow to $25 billion, overtaking Brazil to become the largest recipient of foreign direct investment for the first time since 1995. The increase reflected the acquisition of a Mexican bank, Banamex, by Citigroup for $12.5 billion. Brazil received $22 billion in foreign direct investment in 2001, down from $33 billion the year before. Meanwhile, amid a continuing recession, Argentina suffered a 70-per-cent decline in foreign direct investment inflows. In June 2002, it was forced to devalue the peso against the United States dollar to less than one quarter of the value it had had less than six months earlier. The line-up of the top 10 magnets for foreign direct investment in Latin America and the Caribbean in 2001 is interesting in its inclusion of very large and very small countries. In order of magnitude, they were: Mexico, Brazil, Bermuda, Chile, Venezuela, Argentina, Colombia, Cayman Islands, Ecuador and Peru.

D. International trade

38. Owing to volatility in the global economy in the biennium under review, South-South cooperation in trade presented a mixed picture. Aggregate exports of developing countries accounted for 31.5 per cent of world exports in 2001. In composition, developing-country exports have been transformed since the 1970s from mainly commodities to mainly manufactures (now over 70 per cent). During the same period, South-South trade came to represent 40 per cent of the trade of developing countries. Encouraging as these figures are, they are somewhat misleading because the performance of developing countries and regions varied widely: Asian developing countries in 2001 accounted for 23.7 per cent of world exports, developing countries in the Americas accounted for 5.5 per cent and African countries for 1.9 per cent. The least developed countries accounted for 0.6 per cent of world exports in 2001. The aggregates are thus heavily weighted towards Asian performance.

39. Within Asia, too, there were wide disparities. A number of developing countries in the region successfully integrated themselves into the global marketplace and were themselves integrated into regional value chains of transnational corporations, with spectacular effect. For example, China (which

replaced the United Kingdom of Great Britain and Northern Ireland as the world's fifth largest trading country in 2002) sent 41 per cent of its exports to other developing countries in 2001 and obtained from them 53 per cent of its imports. By 2000, Chinese exports ($249 billion) were 88 per cent manufactured goods. Meanwhile, West Asia, which accounted for 3.98 per cent of world exports in 2001, and Central Asia, which accounted for 0.31 per cent, remained mainly exporters of commodities. In terms of value of exports, the members of the Bangkok Agreement ($470 billion) topped all other subregional Asian groups in 2001; ASEAN was second ($386 billion), followed by the Gulf Cooperation Council countries ($159 billion) (see below for composition of regional and subregional groups).

Value of exports by economic grouping

(millions of United States dollars)

	1980	*1990*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
Africa									
CEMAC	4 668	5 560	6 079	7 124	7 441	5 917	6 720	9 622	9 453
CEPGL	1 804	1 184	596	692	688	551	572	575	540
COMESA	13 553	16 239	18 938	21 225	20 831	18 534	19 531	24 896	23 663
ECCAS	8 371	10 659	10 321	12 548	12 599	10 107	11 843	17 982	16 610
ECOWAS	33 348	20 769	21 865	26 451	25 348	20 628	24 534	30 652	30 474
MRU	1 225	1 209	1 125	1 173	1 159	1 300	1 266	1 367	1 490
SADC	34 242	37 199	42 611	46 484	47 695	40 762	42 415	49 256	47 394
UEMOA	4 885	5 036	6 648	7 421	7 318	7 641	7 666	6 666	7 114
UMA	40 648	34 394	32 133	35 471	36 483	30 191	34 252	47 502	46 180
Asia									
ASEAN	71 903	144 148	321 392	340 855	353 254	329 672	358 979	428 179	386 534
Bangkok Agreement	46 045	148 738	311 767	321 732	362 825	358 349	383 330	474 396	470 322
ECO	13 320	38 115	59 939	68 820	66 950	59 713	68 004	82 003	82 195
GCC	161 295	87 564	100 576	119 109	122 023	87 919	109 049	163 179	159 492
MSG	2 020	2 244	3 940	4 004	3 551	2 826	2 999	3 314	2 965
SAARC	13 142	27 494	46 129	50 407	52 780	51 248	53 455	62 549	63 987
Latin America									
ANCOM	30 467	31 134	39 496	45 581	46 419	39 109	43 381	58 026	52 185
CACM	4 768	4 354	8 284	8 568	10 005	11 499	11 945	11 846	10 613
CARICOM	11 443	4 752	5 681	5 710	6 149	5 463	6 061	7 984	9 195
LAIA	88 302	131 546	207 196	233 984	258 562	254 389	271 270	328 827	317 656
MERCOSUR	29 522	46 418	70 499	74 998	83 179	81 366	74 322	84 659	87 864
OECS	152	343	309	262	255	266	272	269	252

	1980	1990	1995	1996	1997	1998	1999	2000	2001
Countries in special circumstances									
Least developed	14 636	16 461	21 905	24 264	24 728	23 388	25 485	33 698	35 246
Heavily indebted	23 533	26 451	35 482	41 077	3 038	41 391	44 560	54 448	56 296
Landlocked	8 389	10 720	25 919	28 712	29 024	25 387	25 988	32 784	32 814

Source: UNCTAD, *Handbook of Statistics, 2002*.

40. Africa presented a marked contrast to Asia in the period under review. Nigeria, the continent's most populous country, sent 72.2 per cent of its exports to developed countries in 2001 (down from 92 per cent in 1980), almost all of it a single commodity, oil. South Africa, the continent's largest and most diversified economy, sent 65 per cent of its exports to developed countries in 2000, with manufactures accounting for nearly 54 per cent of the total. Africa as a whole was closer to Nigeria, sending some 71 per cent of its exports to developed countries in 2001, with fuels accounting for over 65 per cent of the total. Overall, sub-Saharan countries took only 12 per cent of their total exports, which continued to be predominantly agricultural and mineral commodities. In 2001, the African subregional grouping with the most exports was SADC ($47.3 billion), closely followed by the Arab Maghreb Union ($46.1 billion), and then by ECOWAS ($30.4 billion).

41. Developing America (classifications from UNCTAD *Handbook of Statistics, 2002*) sent 74.6 per cent of its exports to developed countries in 2000, with manufactures accounting for 61.4 per cent. Intraregional trade in some countries in developing America was quite volatile. For example, after growing at an average of 16 per cent for a decade, intra-MERCOSUR trade fell dramatically in 2002. According to the Inter-American Development Bank, intra-MERCOSUR trade decreased from slightly over 20 per cent of its total trade in 2000 to 11 per cent in 2002. Within the Andean Community, trade fell by 7 per cent in 2002. In the Central American Common Market, intra-group trade remained constant. The Latin American Integration Association, the largest Latin American subregional grouping, had exports totalling $317 billion in 2001.

III. Evolving trends and issues in South-South cooperation

A. Action taken by developing countries

42. The South-South record of cooperation has been subjected to a limited review and assessment in terms of goals met, but available information points to significant progress in a number of countries. Developing countries in every region have emerged as net providers of technical assistance, and some now expend substantial resources on outreach to other developing countries. At the thirteenth session of the General Assembly High-level Committee on the Review of Technical Cooperation among Developing Countries, India reported that it had spent over $2 billion over the years i.. its wide-ranging programmes for South-South cooperation. China,

which has a diverse portfolio of cooperation projects with other developing countries, decided in 2000 that over a two-year period, it would reduce or cancel some $1.2 billion in debt owed mostly by African least developed countries. With the support of the Special Unit for Technical Cooperation among Developing Countries, China is launching its first South-South Cooperation Demonstration Base in Fuzhou. The Base brings together 26 national centres of excellence to service development better in the South. Turkey commits some 80 per cent of its development cooperation budget of $180 million to South-South programmes; in 2001, it reported signing 72 bilateral agreements with 44 developing countries, 30 of them for economic or technical cooperation. Brazil consults annually with Latin American and Caribbean countries before drawing up its cooperation programmes funded nationally and from multilateral sources.

43. Other countries have also made significant contributions. Singapore offers an extensive array of training programmes; Sri Lanka has programmes to impart indigenously developed technology in such areas as crab breeding and the use of banana fibre and wind power. Venezuela has reached out to a number of African countries. Cuba has provided medical experts and support for health-care systems in many countries outside the Latin America and Caribbean region. In Africa, Benin, Seychelles and Uganda have worked through joint commissions with other developing countries to identify South-South priorities.

B. Action taken by donor countries

44. In general, donor countries have preferred to facilitate South-South cooperation by supporting centres of excellence and knowledge networks. Sweden is financing three such networks in Asia (on renewable energy technologies, energy research, and environment and climate) and two in Africa (on energy policy and biotechnology). Some donors have also made greater use of experts from the South in their bilateral programmes. Noteworthy examples are the training arrangements of Sweden that are based in Singapore and Uruguay, the arrangements of Canada with Singapore and those of Australia with ASEAN, Fiji, Papua New Guinea, Samoa and Vanuatu.

45. Developed countries have also provided vital support for South-South cooperation in such areas as human resource development, research and institutional capacity-building. Aid is being increasingly targeted for groups of countries or institutions that address overarching thematic issues. For instance, Japan has supported the work of the UNDP Special Unit for Technical Cooperation among Developing Countries on a programme for capacity-building in local governance and economic development that will result in two networks in Africa and Asia that will enable the exchange of experience and technical support. Japan has also supported the convening of two Africa-Asia Business Forums, one in Malaysia and the other in South Africa, as part of a broader effort to improve Africa-Asia links through a decade-long process initiated by the first Tokyo International Conference on African Development in 1993.

46. Notable examples of triangular cooperation are Japan's Third Countries Training Programme (involving Kenya, Mexico, Singapore and Thailand), Third Countries Experts Programme and Partnership Programme. Financial assistance from Japan has helped: Ghana to provide training to participants from neighbouring

countries in administering polio vaccinations; Indonesia to send agricultural experts to the United Republic of Tanzania; and Chile to extend technical cooperation to Cuba in the field of fisheries development, to Bolivia in the field of vegetable and animal sanitation and to the Dominican Republic in teacher training.

47. Another significant triangular initiative is the African Capacity-Building Foundation, created as a response to the severity of capacity deficits in Africa. Based in Harare, it is an initiative of the African Development Bank, UNDP, the World Bank, African Governments and bilateral donors. The Foundation brings together 15 African countries (Botswana, Cameroon, Côte d'Ivoire, the Democratic Republic of the Congo, Gabon, Ghana, Kenya, Malawi, Mali, Mauritius, Nigeria, Senegal, Uganda, the United Republic of Tanzania and Zimbabwe) and 10 non-African bilateral donor countries (Canada, Denmark, Finland, France, Ireland, the Netherlands, Norway, Sweden, the United Kingdom and the United States). Through partnership between the Rio Group and the European Union, the Centre houses the Training Programme for Regional Integration supported by the European Institute of Public Administration in Maastricht, the Netherlands.

48. Other examples include European Union support for programmes engaging African countries in trade expansion, environmental protection and development of human resources. A Euro-Mediterranean partnership aims to establish a free trade area by 2010 that will include the European Union and its Mediterranean partners, such as Algeria, Morocco and Tunisia (Maghreb); Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic (Mashrek); and Cyprus, Malta and Turkey. Another innovative example is that of the Netherlands support for sectoral programmes in 22 developing countries through multi-donor basket funds, providing support for the use of southern technical resources for any element of the programme.

C. Role of the United Nations development system

49. Technical assistance within the United Nations development system used to be mainly North-South; it can now be North-South, South-South, or involve one or more parties from the North and the South in a variety of equations on a wide range of issues. Some agencies and programmes, especially the Food and Agriculture Organization of the United Nations (FAO), the International Trade Centre (ITC), UNCTAD, the United Nations Industrial Development Organization (UNIDO) and the World Health Organization, have well-defined South-South policies and programmes. However, the use of the South-South modality is often ad hoc, with cost-effectiveness the determining factor, all other things being equal. The full extent of South-South cooperation within the United Nations system cannot be captured in the space available here, but the descriptions below indicate the scope and range of the effort.

50. UNCTAD is extensively involved in South-South processes, with a focus on study, analysis and dissemination of information to support developing countries in multilateral trade and bilateral or multilateral negotiations. For example, it provides technical assistance and analytical support on South-South cooperation generally and specifically for regional groupings. It also organizes intergovernmental deliberations on the key issues relating to South-South economic cooperation and integration. To remedy the information deficit from which developing-country commodity producers have always suffered, UNCTAD tracks developments relating

to more than 80 commodities and examines the global factors that have an impact on international markets. With support from France and in partnership with Cyclope, a group of French-speaking researchers, it maintains INFOCOMM, a technical assistance programme that features an international electronic portal (http:\\www.unctad.org\infocomm) offering analyses and practical information for the principal commodities. On investment, UNCTAD supports a number of regional institutions and networks in developing countries.

51. In the area of information and communication technology and e-commerce, developing countries had the opportunity to learn from one another's best practices and experiences through UNCTAD regional meetings on electronic commerce for development, such as the one for Central America and the Caribbean held in Curaçao in June 2002, or the one organized jointly with the Government of Thailand and the United Nations Economic and Social Commission for Asia and the Pacific for the Asia-Pacific region in Bangkok in November 2002. Information on success stories, such as Costa Rica and India, is contained in the UNCTAD annual Electronic Commerce and Development Report.

52. In the field of transport and trade facilitation, UNCTAD identified opportunities for cooperation between the member States of the Economic Cooperation Organization, in order to formulate a full-scale programme of technical assistance at a later date. The Advance Cargo Information System, which is active in 16 countries in Asia and Africa, facilitates regional cooperation along transport chains by providing transport operators with the latest technological and management tools to improve their efficiency. An independent evaluation conducted on five railways of Eastern Africa (in Kenya, Uganda, the United Republic of Tanzania (2) and Zambia) and two ports (in Kenya and the United Republic of Tanzania) showed that the System had increased equipment productivity by US$ 20.5 million per year and reduced rail wagon hire charges by US$ 6.4 million per annum. Moreover, the UNCTAD Automated System for Customs Data has allowed customs administrations of developing countries to exchange information and facilitate the clearance and transit of goods, facilitating their regional harmonization in over 80 countries.

53. South-South approaches are central to the work of UNDP. The UNDP global cooperation framework promotes South-South cooperation by, for example, linking country, regional and global programmes, which enables greater South-South exchange and cooperation across regions. UNDP services — global advocacy and policy analysis, policy advice and support, and knowledge networking and sharing of best practices — build capacity for greater South-South cooperation. Over the past two years, UNDP has encouraged Internet-based networking, which has led to a vigorous daily exchange of information among development practitioners, mostly in the South.

54. In an effort to strengthen the mainstreaming of South-South cooperation in the operational activities of the United Nations development system, the UNDP Special Unit for Technical Cooperation among Developing Countries also submitted revised Guidelines on the review of policies and procedures concerning technical cooperation among developing countries to the High-level Committee on the Review of Technical Cooperation among Developing Countries at its thirteenth session. The Guidelines contain indicators for gauging the activities of the

organizations of the United Nations system with respect to technical cooperation among developing countries.

55. In 2001, the Special Unit initiated work on TECHNONET Africa to link small and medium-sized enterprises within the region. It continued its efforts to catalyse investment and technology transfer from Asia to Africa at the enterprise level through the second Africa-Asia Business Forum, held in Durban, South Africa, in July of that year. Another programme in the biennium 2001-2002 involved training programmes in development financing in Malaysia and the Philippines for African bankers. Other interregional work supported by the Special Unit included the Africa-Asia Eco-Partnership Programme, which has initiatives in the management of solid waste, wastewater and air pollution in five African and six Asian cities. In the area of emerging development issues, the Special Unit used triangular cooperation arrangements to launch an initiative to develop institutional capacities for the management of water demand in the Middle East and North Africa region.

56. The work of the Special Unit in knowledge-building and knowledge-sharing included *Cooperation South*, a twice-yearly journal distributed to key policy makers in the South, the United Nations system, research libraries and multilateral organizations. The Web of Information for Development (WIDE), an electronic platform for the dissemination and sharing of information on lessons learned, availability of expertise, and institutional experience, is another ongoing initiative. Under an agreement with the Bureau for Development Policy, WIDE is to become the main platform for subregional resource facilities, allowing the international community easy access to expertise available in the South. Institutions in the South will be able to use WIDE to build their roster of experts and inform a global audience of their capacity. In October 2002, the Special Unit initiated a project to lower the cost of accessing the Internet in Africa. It also initiated an umbrella programme on the preservation of coastal and marine biodiversity in the West African Gulf of Guinea. Another programme supported the sharing of successful policies and experiences relating to the teaching of science and technology subjects in the developing world.

57. The Special Unit for Technical Cooperation among Developing Countries also collaborated with the World Trade University, launched at the Third United Nations Conference on Least Developed Countries, held in Brussels in May 2001, in organizing a South-South trade forum within the World Trade Forum tentatively scheduled for May 2004 in Shanghai, China. Supported by many developing countries, the United Nations Global Compact, UNDP, UNCTAD, the World Trade Organization, the Commonwealth Secretariat, the Inter-American Development Bank, the Investor Relations Group, the International Business Leaders Forum, the Bank of Montreal, the Panicaro Foundation and other partners, the Forum aims to foster an inclusive global public-private partnership mechanism for promoting the Millennium Development Goals through trade.

58. UNIDO is also extensively involved in South-South cooperation. Its diversified South-South programmes cover, inter alia, investment and technology promotion, strengthening industrial capacities, trade facilitation and market access, export promotion, food safety and preservation, footwear, housing, environmentally sound vehicles, subcontracting and partnership, environmental management and information networks. UNIDO is engaged in spreading, from India, the concept and practice of cluster development of small and medium-sized enterprises, which the

country had developed to increase efficiencies of scale. At the global level, it provides, in its innovative new Industrial Development Report, an assessment with a scoreboard that reviews the performance and capabilities of 87 countries.

59. Other organizations also give an important role to South-South cooperation. The following is only a brief summary of such activities. The FAO Special Programme for Food Security, for example, organizes extended missions by experts from 20 advanced developing countries to work directly with farmers in other developing countries. Some 2,600 experts and technicians have participated in the programme.

60. The International Civil Aviation Organization routinely sends a third or more of its fellowship placements to institutes in developing countries and draws a similar proportion of its expert project personnel from the South.

61. The International Trade Centre in Geneva has a strong South-South trade promotion programme that has had considerable success in generating new business with buyer-seller meetings organized on the basis of trade-flow analyses and on-the-ground surveys. A particular success story is the LatinPharma 2002 project, which focused the attention of local businessmen, government officials and academics on the situation in Central America. There some 200 local pharmaceutical companies had idle capacity ranging from 10 to 50 per cent, yet 76 per cent of essential drugs used in the subregion were being imported. As a result of the project, the foundation of a sustainable pharmaceutical industry in the subregion has been laid.

62. The Department of Economic and Social Affairs of the Secretariat and UNDP supported the establishment of the Regional Cooperation Centre for City Informatization in Shanghai, China, in 2000. It has since helped to revolutionize the use of information and communication technology for e-government, e-commerce, e-healthcare, e-education and sustainable economic and social development at the city and intercity levels throughout the Asia and Pacific region under South-South cooperation. It is now set to go interregional and global, aiming to help to bridge the digital divide among cities in the South, with the support of the Special Unit for Technical Cooperation among Developing Countries.

63. South-South cooperation also plays a role in the activities of the Joint United Nations Programme on HIV/AIDS (UNAIDS). The International Partnership against AIDS in Africa is the world's largest South-South network focused on a single issue. Under the leadership of African Governments, it brings together community activists, businesses, donors and the United Nations system in a broad effort to prevent and combat the disease and help victims.

64. The World Health Organization uses a network of cooperating institutions in developing countries to collect, analyse and use disease-related information. Its surveillance, norm-setting and capacity-building activities have helped to establish full national health accounts in 70 countries.

D. Role of the private sector and non-governmental and civil society organizations

65. One of the growing trends is the increasing participation by the private sector, non-governmental organizations and civil society organizations in South-South and

triangular cooperation. For example, the Third World Academy of Sciences has supported scientific research in 100 countries in the South through a variety of programmes and it arranges for peer reviews free of charge for research grants, fellowships and awards submitted by scientists and institutions in developing countries. Along with the Third World Organization for Women in Science, which now has over 2,000 members from some 80 developing countries, and the Third World Network of Scientific Organizations, a non-governmental alliance of some 150 scientific organizations in the South, the Third World Academy of Sciences had a key role in supporting the October 2002 Group of 77 meeting on science and technology held in Dubai.

66. The 18-member African Stock Exchanges Association, created in 1993, has its headquarters in Nairobi. It aims to promote the exchange of information, materials and people; provide mutual assistance; and organize joint programmes. It helps to establish stock exchanges, develop financial instruments and set standards for personnel, listing, trading, data banks and information systems. Any stock exchange or nascent stock exchange in Africa can join the Association, which continued its outreach and advocacy functions during the biennium 2001-2002.

67. AGRECOL (Ecological Agricultural Technologies), a non-governmental organization founded in Bonn, Germany, in 1982, now has chapters in over 20 countries. Dedicated to sound land use and agricultural practices, its membership is drawn from farmers and representatives of farmers groups, non-governmental organizations, universities and research centres, organic certification agencies and advisory groups. One of its campaigns is to support "a close South-to-South collaboration between Asia, Africa and Latin America" in developing a locally based and self-reliant organic agriculture movement. Support from AGRECOL is being welcomed by organic farmers' groups in a number of developing countries because they need help to access the major markets for organic products which, according to UNCTAD, are growing at rates of 10 to 15 per cent per year. Developing countries with growing organic farming movements include Bolivia, Cameroon, Ghana, India, the Islamic Republic of Iran, Kenya, Lebanon, Nepal, Peru, the Republic of Korea, Senegal, Solomon Islands, Sri Lanka, Uganda, the United Republic of Tanzania and Zimbabwe.

68. The Coastal Linkage of Academic and Research Institutions' Network in North-east Asia was another microregional initiative in 2001. The network aims to improve mutual understanding and institutional capacity in the region through economic and social interaction and to contribute research relating to regional cooperation to local Governments. Members of the organizing committee include Jilin University and Yanbian University of Science and Technology (China), the International University of Japan and the Economic Research Institute for North-east Asia (Japan), Kangnung National University and the University of Ulsan (Republic of Korea), and the Far Eastern National University and the Maritime State University (Russian Federation).

IV. Concluding remarks and recommendations

69. **The foregoing offers ample grounds to affirm that the basic concept of South-South cooperation is having a positive impact on global, regional and national policies and actions relating to trade, investment, monetary and**

financial arrangements and on human development in general in the developing world. The following conclusions and recommendations may also be drawn.

70. **The emphasis placed on South-South cooperation at recent United Nations conferences reaffirms the staying relevance of this approach to international development cooperation and underscores the need for its continued support by the United Nations system.**

71. **As the number of regional and subregional groups working to foster economic integration in the South grows, so must efforts be made to expand the scope of South-South and triangular partnerships within the framework of such collaborative arrangements.**

72. **Rapid globalization underscores the need for a more strategic approach to South-South cooperation. As developing countries prepare their economies for entry into global markets, they must know their relative strengths and weaknesses and how best to use available resources to minimize negative effects and maximize benefits. In this context, increasing efforts towards monetary and financial cooperation are an encouraging development that should be further strengthened.**

73. **Rapid economic growth prompts a number of developing countries to enter a highly competitive search for foreign direct investment. Such countries of the South need to adopt proper strategies to avoid counterproductive competition against one another.**

74. **As the volume of South-South and North-South trade becomes more robust and developing-country exports are increasingly transformed from raw commodities into manufactures in some parts of the developing world, urgent measures are needed to boost the trading capacity of least developed countries, whose share of world trade in 2001 was merely 0.6 per cent.**

75. **With improved information flows, strategic planning and effective mechanisms to resolve conflicts peacefully, South-South cooperation could help to meet the Millennium Development Goals by drawing on the resources and expertise existing in the South, particularly in the countries that have recently realized rapid socio-economic development.**

76. **Growing participation by the private sector and non-governmental and civil society organizations in South-South cooperation is a welcome development to be encouraged and strengthened in future South-South and triangular initiatives.**

Notes

[1] Updated information on the follow-up to the International Conference on Financing for Development can be found at http://www.un.org/esa/ffd.

[2] The text of the report of the World Summit on Sustainable Development and information about follow-up action can be found at http://www.un.org/esa/sustdev/index.html.

[3] More information on NEPAD can be found at http://www.nepad.org/.

[4] The information on ASEAN is from press statements issued by the ASEAN secretariat; for the full texts, see http://www.aseansec.org/.

[5] Information on the Andean Community was obtained from http://www.comunidadandina.org/endex.htm.

[6] The text of that communiqué and others pertaining to relations between MERCOSUR and the Andean Community can be found at http://www.comunidadandina.org/ingles/common/mersocur4.htm.

[7] For more detailed information on the Group of 24, see http://www.g24.org.

[8] For more detailed information on the Heavily Indebted Poor Countries Ministerial Network, see http://www.dri.org.uk/pages/hipcen.html.

[9] For a variety of regional financial institutions that support development, see the IMF web site (http://www.imf.org/), which lists over 50 of them involving developing countries.